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MACKENZIE VALLEY PIPELINE INQUIRY

3  
Government  
Publications

IN THE MATTER OF APPLICATIONS BY EACH OF

(a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A  
RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS  
CROWN LANDS WITHIN THE YUKON TERRITORY AND  
THE NORTHWEST TERRITORIES, and

(b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY  
THAT MIGHT BE GRANTED ACROSS CROWN LANDS  
WITHIN THE NORTHWEST TERRITORIES

FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

Yellowknife, N.W.T.

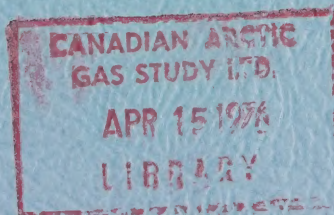
April 8, 1976.

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PROCEEDINGS AT INQUIRY

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Volume 140









APPEARANCES:

- Mr. Ian G. Scott, Q.C.,  
Mr. Stephen T. Gaudge,  
Mr. Alick Ryder and  
Mr. Ian Roland for Mackenzie Valley Pipeline  
Inquiry;
- Mr. Pierre Genest, Q.C.,  
Mr. Jack Marshall,  
Mr. Darryl Carter, and  
Mr. J.T. Steeves, for Canadian Arctic Gas Pipeline  
Limited;
- Mr. Reginald Gibbs, Q.C.,  
Mr. Alan Hollingworth, and  
Mr. John W. Lutes, for Foothills Pipe Lines Ltd.;
- Mr. Russell Anthony,  
Prof. Alastair Lucas and  
Mr. Garth Evans for Canadian Arctic Resources  
Committee;
- Mr. Glen W. Bell and  
Mr. Gerry Sutton, for Northwest Territories  
Indian Brotherhood, and  
Metis Association of the  
Northwest Territories;
- Mr. John Bayly and  
Miss Leslie Lane for Inuit Tapirisat of Canada,  
and The Committee for  
Original Peoples Entitle-  
ment;
- Mr. Ron Veale and  
Mr. Allen Lueck for The Council for the Yukon  
Indians;
- Mr. Carson H. Templeton, for Environment Protection  
Board;
- Mr. David Reesor, for Northwest Territories  
Association of Municipali-  
ties;
- Mr. Murray Sigler, for Northwest Territories  
Chamber of Commerce;
- Mr. John Ballem, Q.C., for Producer Companies.

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Yellowknife, N.W.T.

April 8, 1976.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: We'll come to order, ladies and gentlemen.

MR. GOUDGE: As we begin, sir, there was filed yesterday Exhibit No. 547 a report on the Trans-Alaska Pipeline as it relates for planning for regulation of the construction of a Mackenzie Valley Gas Pipeline, it was identified yesterday as having been written by Mr. Yates. I've been advised that it was in fact written by Mr. Gee of the Department of Indian Affairs & Northern Development, so for accuracy I thought I should put that on the record.

I think Mr. Carter would be next, sir.

C.W. NICOL, resumed:

CROSS-EXAMINATION BY MR. CARTER:

Q Mr. Nicol, you expressed yesterday a concern as to our ability with present technology to deal with a large oil spill in the north.

A That's right.

Q Were you thinking of an oil spill such as might result from an oil well blowout in the Beaufort Sea, or some disaster with an oil tanker, that sort of thing?

A I was thinking of any unexpected release of large amounts of oil, so I wasn't thinking particularly of a blowout or a tanker or





C.W. Nicol  
Cross-Exam by Carter

anything, I was just thinking of oil release onto the water.

Q Are you familiar, sir, with the proposal put forth by the pipeline applicant for the storage and handling of its fuel to be used during construction?

A I'm not familiar with that, no.

Q Would you have the same concern for a spill that might occur from this source, bearing in mind that the storage tanks would be somewhat -- well, considerably smaller than that in Japan, a few thousand barrels, and that they could be provided with dyking, etc.?

A You're asking me, am I concerned with your own storage facilities?

Q Yes.

A I don't think this is in my area. I'm not working at present in the Northwest Territories. I'd like to state again I'm concerned with the ability of anybody to handle large amounts of oil that have been released into the water. I'm sure that the Northwest Territories regulations regarding dyking are as good as the Pacific Region, and I think probably the likelihood of an oil tank releasing as much oil anywhere in Canada at this time are much less than they are in Japan. Certainly from what I've read, a blowout seems to be a more serious concern of people on this Commission.

Q The size of the spill is





C.W. Nicol  
Cross-Exam by Carter  
Cross-Exam by Hollingworth

a very important feature.

A Certainly the size of the spill is important, and the conditions under which the oil is faced, once it gets onto the water.

Q Yes, and if it's fuel oil as opposed to crude or bunker C, the possibility of disposing of it by burning is much better.

A Oh, I would agree with that, yes.

MR. CARTER: Those are all the questions I have, sir.

CROSS-EXAMINATION BY MR. HOLLINGWORTH:

Q Mr. Nicol, as I understand the original problem in Japan really resulted from several factors, and perhaps you might agree with me; first of all, the bunker C was exceedingly hot.

A Yes.

Q Second of all, the retaining wall wasn't very strong. It was inadequate.

A Well, the retaining wall wasn't very strong, but the oil escaped with such suddenness and with such force it was spraying over the wall in any case.

Q Well, that's my third point. The quantity was so great; that's another consideration.

A Of course.

Q But if we can go back to the retaining wall for a moment, really it would be





C.W. Nicol

Cross-Exam by Hollingworth

1 fair to say, wouldn't it, that it wasn't adequate for  
2 the amount of oil that was stored inside it.

3 A I would say it was not  
4 adequate. But may I point out here that we have had  
5 spills in the Northwest Territories that have not been  
6 retained by the dyke walls because the dyke walls were  
7 inadequately maintained. I'm referring to a spill from  
8 Resolute Bay.

9 Q And whose installation was  
10 that?

11 A Whose? I'm not sure at  
12 the moment.

13 Q Now, as I understand it,  
14 the temperature of the oil was as high as it was because  
15 to do otherwise would mean that the bunker C would become  
16 very viscous and wouldn't flow.

17 A I believe the point of  
18 fluidity of that particular oil was 12.5 degrees  
19 Centigrade, so that the oil was kept at a much higher  
20 temperature because of the needs of the refinery, but  
21 I'm not an oil engineer so I don't know why it was kept  
22 so hot.

23 Q Well, it would be  
24 more fluid at the higher temperature.

25 A Of course.

26 Q And are you aware, sir,  
27 whether the pipeline application calls for the storage  
28 at any time of bunker C?

29 A I have not seen any of the  
30 pipeline applications, but I think that crude oil and



C.W. Nicol

Cross-Exam by Hollingworth

1 bunker C in their movement and the way they behave on  
2 water after a certain period of time don't make really  
3 much -- there's ~~not~~ really much difference between the  
4 two.

5 Q You wouldn't also obviously  
6 be aware whether there was any reason for the applicants  
7 to keep crude oil on hand, and I suggest to you there  
8 isn't.





C. W. Nicol  
Cross-Exam by Hollingworth

1 A I don't know your plans.

2 Q Then if we could just get  
3 some perspective of the size of the storage tank. As  
4 I understand it, the tank that ruptured in Japan held  
5 something in the order of ten or eleven million gallons  
6 Imperial.

7 A That's correct.

8 Q That would be somewhere  
9 in the range of 275,000 barrels?

10 A Yes.

11 Q As Mr. Carter mentioned,  
12 the storage tanks that are presently contemplated by  
13 the gas companies would be something in the range of  
14 2,000 barrels?

15 A Yes.

16 Q So there's obviously  
17 a vast, vast difference here in the amounts contemplated  
18 for storage?

19 A Yes, but as I said in  
20 my summary, we must look to the future. Are you always  
21 going to have very small storage tanks in the north?

22 Q Well, if I could restrict  
23 myself to a moment to my client's particular area of  
24 interest and that's maintaining a gas pipeline, I think  
25 the answer to that would be yes. I gather that you're  
26 concerning yourself with wider concerns. What might  
27 happen from oil drilling; some such --

28 A I'm -- no, I'm not here  
29 as an expert on the activities of the oil and gas  
30 industry in the Northwest Territories at this time. I





C. W. Nicol  
Cross-Exam by Hollingworth

1 believe that my expertise at this moment is in the  
2 ability of the government and the industry to handle  
3 oil in the water or a major oil spill in the water.

4 THE COMMISSIONER: Just to  
5 be fair to you sir, Mr. Hollingworth's client, Foothills  
6 proposes among other things to bring a freighter  
7 with 35,000 tons of fuel oil into the Beaufort Sea to  
8 Tuktoyaktuk, so it isn't altogether just a question of  
9 storage tanks with 2,000 --

10 MR. HOLLINGWORTH: Sir, with  
11 respect, I don't think that my client does propose that  
12 I think that's putting it very positively. It was just  
13 an idea -- another back of the envelope sort of idea.  
14 It's certainly not a concrete proposal and it's been  
15 seized upon by the participants here and almost been  
16 translated into a certainty, and I think that's blowing  
17 it out of proportion.

18 THE COMMISSIONER: It was said  
19 that it was under consideration. I think that's a fair  
20 way of putting it. But, since it is under consideration,  
21 I think it's something that we have to consider too.  
22 At any rate, I think that I understand the point of view  
23 that both of you are expressing.

24 MR. HOLLINGWORTH: I think it  
25 should also be stated sir that the intent, once the  
26 tanker, if this concept was used; that once the tanker  
27 got to Tuk, it would immediately be off-loaded into  
28 barges and taken up the Mackenzie River to various points,  
29 but it wouldn't be sitting in Tuk Harbor and exposed to  
30 the elements, as I think seems to be the prevailing view.





C. W. Nicol  
Cross-Exam by Hollingworth

1 THE COMMISSIONER: Well, I can't  
2 remember, I think it was Mr. Mirosh's evidence.

3 MR. HOLLINGWORTH: Yes, it was  
4 sir.

5 MR. BAYLY: I don't think it  
6 was in the evidence Mr. Commissioner, although Mr.  
7 Hollingworth might be able to point me to some, that says  
8 what's going to happen to it once it gets into the  
9 area of Tuktoyaktuk. I don't think that was on the  
10 back of the envelope.

11 MR. HOLLINGWORTH: Well, maybe  
12 we better bring Mr. Mirosh back here and point out the  
13 obvious, that Foothills isn't going to bring 35,000 tons  
14 of oil to Tuk, just to have it sitting in the harbor.

15 THE COMMISSIONER: Well, rather  
16 than bring him back, we can always re-read his evidence.  
17 That's --

18 MR. HOLLINGWORTH: All right, sir.  
19 Sorry Mr. Nichol, we seem to have lost you in the tide  
20 here. Fine sir, well I've been reading a document and  
21 I'm not sure whether Mr. Bayly's proposing to file it  
22 or not. It was distributed to the participants and it's  
23 a publication of Environment Canada Information Services,  
24 authored by yourself on the Mizushima oil spill.

25 A That's right. Yes, I  
26 should say that this was written as a chatty article  
27 on what I did in Japan. The figures in there were the  
28 figures available to me when I had first come back from  
29 Japan in late January. The figures I've given in this  
30 evidence, are greater and are more accurate because they





C. W. Nicol  
Cross-Exam by Hollingworth

are official Japanese government figures.

Q Oh, I have no quarrel with your figures sir, but I was just looking at the page headed "Canadian Preparations for Environmental Emergencies" and you say there at one point that:

"The Environmental Emergency Branch of Environment Canada began coordinating the Federal Government's response to environmental emergencies in 1972. This branch provides leadership, guidance and technical advice to other federal departments, the provinces and industry on contingency planning and operations. It trains field operators in new techniques and so forth."

I gather sir, that that's still the policy of your department to provide leadership to government and industry in checking oil spills and cleaning them up?

A Yes, you are correct.

Q That would be the case in the Northwest Territories as well as anywhere else in Canada?

A I would presume so.

MR. HOLLINGWORTH:

All right. Fine sir, those are my questions. Thank you.

A Thank you.

MR. BAYLY: Mr. Commissioner, Mr. Gamble has kindly provided me with his summary and it appears that Mr. Mirosh did mention barging as far upriver as Fort Good Hope.





C. W. Nicol  
Cross-Exam by Goudge

1 THE COMMISSIONER: These  
2 summaries, I think, are turning out to be invaluable,  
3 wouldn't you agree Mr. Hollingworth?

4 MR. HOLLINGWORTH: Indeed.

5  
6 CROSS-EXAMINATION BY MR. GOUDGE:

7 Q Mr. Nicol, as I understand  
8 your view of the Mizushima experience, that spill  
9 appeared to present what I might call insuperable  
10 containment problems. Would you characterize it that  
11 way with me?

12 A I would say that is quite  
13 correct, yes.

14 Q Then when we turn from  
15 containment to what I might call removal, a variety  
16 of devices were tried and I understand you to say that  
17 long-handed bailers proved to be by far the most  
18 efficient.

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C.W. Nicol  
Cross-Exam by Goudge

A I would say that they were the most efficient because they could be handled by anybody because they didn't break down, they were cheap and could be easily transported. I realize that there are devices that will take oil off the water in larger quantities, but these devices all have their limitations.

Q You spoke yesterday of two such devices which are available in Canada and which apparently were not tried in Japan -- the Bennett skimmer Mark IV, and the oil mop.

A That's correct.

Q Do you have any opinion as to the efficacy of those devices for this kind of spill?

A For the Mizushima spill?

Q For a large spill.

A For a large spill, I think both of them in the peculiar circumstances that they can be employed would have been very effective; but of course deploying -- buying and deploying these devices is another problem. I believe the oil mop costs \$9,000, isn't it, per unit, and the Bennett Mark IV skimmer -- skimmer, there's only one prototype now and I believe that costs \$150,000.

Q These two devices are essentially not aimed at containment but at removal of the oil on the surface of the water.

A That is correct, yes.

Q Well, let me ask you in general terms about possible research and development





C.W. Nicol

Cross-Exam by Goudge

1 in both the areas of containment and removal of oil.  
2 You've told us about the Bennett Mark 4 and the  
3 oil mop. Are there any devices being researched or on  
4 the horizon for the removal of oil that are going to  
5 drastically increase our capacity to remove oil from  
6 the surface of water, as far as you know?

7 A Oh dear, yes there are  
8 other devices being researched at the moment. I believe  
9 a report is forthcoming from Environment Canada listing  
10 some seven devices, but my own feelings are that  
11 although these devices are excellent, and are very  
12 valuable components of our arsenal to remove oil, the  
13 problem we have to face is can we -- first can we  
14 afford such devices, and secondly, can we deploy them  
15 quickly enough? All the devices that I'm aware of,  
16 both Canadian, Japanese, Soviet, and British devices,  
17 work only in very, very good circumstances.

18 Q That is where the oil is  
19 already contained.

20 A Yes. Well, when I say  
21 "very good circumstances", I should modify that. Reason-  
22 able circumstances. They won't work in storms.

23 Q Yes. Perhaps, sir, you  
24 would be good enough to let us know when that report  
25 on these some seven devices is ready, so we can obtain  
26 a copy.

27 A Certainly I will. I've  
28 seen a draft copy of it.

29 Q Yes. Let me ask you in  
30 the area of containment whether you're aware of any





C.W. Nicol  
Cross-Exam by Goudge

1 research which will perhaps lead to future devices  
2 that are more successful than those used at Mizushima?

3 A Oh, yes, certainly both  
4 in the United States and Canada research is ongoing  
5 into more efficient types of booms, but off the top of  
6 my head at this moment I can't quote you names or  
7 companies or agencies doing the research, but I'm sure  
8 any of the gentlemen from the oil and gas industry knows  
9 as much, if not more, about this topic than I do.

10 Q I take it this would be  
11 research, or perhaps you can tell me immediately if  
12 you don't know, but perhaps this will develop booms  
13 capable of sustaining oil in wind and current, unlike  
14 present booms.

15 A I presume so, but  
16 personally I am pessimistic that any boom can handle  
17 oil in extreme conditions of current or wind.

18 Q The report you mentioned,  
19 I assume, will go into developments, both in the  
20 removal area and the containment area of oil spill  
21 control.

22 A No, the report -- the  
23 draft of the report that I've seen concerns itself  
24 only with the removal of oil.

25 Q Now one possible approach  
26 to the containment of oil, if it is impossible to isolate  
27 the oil, is to contain or to protect sensitive areas  
28 from an advancing oil spill. Would you agree with that?

29 A That's certainly a  
30 recognized technique, yes.



C.W. Nicol  
CrossExam by Goudge

Q And a kind of second best technique, if one can't contain the oil itself.

A Yes.

Q Was this method tried in connection with the Mizushima spill?

A Certainly it was, it was tried in almost every small bay that they could manage to get their booms across. They tried to protect the fish farms in harbors and in some cases even the river mouths.

Q And I take it with no more success than they had in containing the spill in the first place.

A With very little success.

Q And why was that, because of deficiencies in the boom?

A No, I believe it was because of persisting storms and waves.

Q Insofar as the escape of the oil was concerned, as you said in answer to Mr. Hollingworth, the breach of the retaining wall was crucial, would you agree?

A I would say the breach of the retaining wall played some part, but I think a lot of the oil got over the wall because of the force at which it escaped from the tank.

Q So that there would have been some substantial spillage without the breach of the wall.

A Oh yes...





C.W. Nicol  
Cross-Exam by Goudge

Q     Nonetheless, you'd agree  
that both the overflow of the wall and the breach of  
the wall are graphic lessons of the importance of dyking  
as a primary means of containment.

A     Oh, absolutely.

Q     On page 18 of your  
evidence, sir, if you will just turn to that, please.

A     Yes.

Q     At the bottom of the page  
you indicate your own views of the conflict that you  
saw between local fishermen and residents, and industry  
and government concerning explanation for the spill, and  
I suppose responsibility for the spill.

A     That is correct.

Q     Is that the essence of  
your evidence?



C. W. Nicol  
Cross-Exam by Goudge

1 A Yes.

2 Q I take it you saw that  
3 as leading that to social tension?

4 A Yes, I did.

5 Q I wonder if, in your  
6 experience investigating spills on the west coast,  
7 you've seen similar incidents, similar kinds of conflicts?

8 A I have seen similar in-  
9 cidents and similar kinds of conflicts, but of course,  
10 not on this scale of the Mizushima disaster.

11 Q Is your experience that  
12 the scale of the conflict relates directly to the  
13 scale of the spill, or at least as approximately equated?

14 A The scale of the impact  
15 skill -- sorry, the scale of the impact of the spill  
16 would relate to the conflict, I would think.

17 Q I take it, it may be that  
18 the way in which the spill is attacked, if you will,  
19 relates directly to the degree of conflict that arises?

20 A I'm getting tied up  
21 in knots now. But whatever we in government and  
22 industry do to clean up an oil spill, somebody is bound  
23 to be dissatisfied and every time there is a spill on  
24 the west coast and some property is damaged, there is  
25 always a lot of public outcry as to who should pay for  
26 it and as to who's fault and as to why we didn't get  
27 out there more quickly and as to why we didn't use this  
28 or that technique.

29 Q Let me ask you whether,  
30 in your experience investigating and dealing with





C. W. Nicol  
Cross-Exam by Goudge

1 spills, you've developed any views as to what might be  
2 done, given that a spill has occurred to reduce this  
3 conflict?

4 A I have quite strong  
5 personal views, and those are that I would like to see  
6 any investigating officer or oil spill officer or  
7 pollution officer, whether it be Ministry of Transport  
8 Environmental Protection Service or industry, I would  
9 like to see him be able to make decisions on scene  
10 that could be instantly followed by action without going  
11 through complicated chains of command.

12 Q Do you feel that that in  
13 itself would be a step towards reducing the conflict  
14 between local industry, local residents, the government  
15 and big industry?

16 A I think so, yes.

17 Q What about the explanation  
18 for the causes of the spill? Is that a source of this  
19 type of conflict in your experience?

20 A In the case of the  
21 Mizushima accident, it was very complicated because  
22 there were several companies involved. The company that  
23 built the landfill or did the landfill, the company that  
24 designed the refinery, the company that did the welding  
25 and the company that operated, were all jousting with  
26 each other about liability. In Canada, I could foresee  
27 similar discussions, but these don't really touch the  
28 public so much.

29 In Canada, we -- I think we  
30 get a lot of criticism about the speed and the amount



C. W. Nicol  
Cross-Exam by Goudge

1 of cleanup we do, and of course the methods we employ to  
2 cleanup. Are you aware sir, the friendly -- usually  
3 friendly conflict between two of our government depart-  
4 ments about the use of chemical dispersants?

5 Q Perhaps you could tell me.

6 A Putting it very simply,  
7 Environment Canada does not wish to see chemicals used  
8 in cleaning oil -- cleaning up oil in the water.  
9 Putting it simply, we believe that we would like to see  
10 the pollutant removed from the water. However, some  
11 countries use chemicals quite extensively. I would  
12 say the United Kingdom uses chemical dispersants quite  
13 extensively, and the Ministry of Transport in Canada  
14 would like to see chemicals used a little bit more than  
15 we use them here.

16 So this is a source of ongoing  
17 research -- very intensive research, and of friendly  
18 conflict and I would say it was friendly because it's  
19 out in the open. We talk about it.

20 Q Let me ask you in con-  
21 nection with this social tension that you referred to  
22 on page 18, what your opinion would be, given your  
23 experience of a public independent investigation process  
24 following on any spill of major proportions? Is that  
25 a process that would, in your view alleviate the kind  
26 of tension you speak of?

27 A I wouldn't like to judge  
28 that sir. I'm not a sociologist or a politician.

29 Q Thank you. Two other  
30 matters Mr. Nicol. You said yesterday in passing, I





C. W. Nicol  
Cross-Exam by Goudge

1 think that the employees connected with the Mizushima  
2 spill, and I take it by that you meant the Mitsubishi  
3 employees, were very well trained to deal with spills?

4 A Yes.

5 Q Can you give us any  
6 details of the kind of training they underwent? How  
7 lengthy it was? Whether it came at the beginning of  
8 their employment?

9 A They have teams of men  
10 on the refinery who are on call. They go through a  
11 duty shift of being on call and their training is  
12 ongoing. They have constant practise in deployment of  
13 booms and oil cleaning devices and so forth.

14 Q When you say "on call"  
15 you mean they do nothing but wait for a spill?

16 A No, no. They have jobs  
17 in the refinery, but they also <sup>are</sup> split up into teams  
18 which can be pulled off their job or pulled away from  
19 home as soon as an accident occurs.

20 Q They have continuous  
21 training?

22 A They have -- yes, they  
23 have training.

24 Q Yes.

25 A Of course, they're not  
26 in training all the time, but they have quite regular  
27 exercises.

28 Q How regular, do you know?

29 A I'm sorry, I'm not sure.  
30 I was told every month but I'm not sure.



C. W. Nicol  
Cross-Exam by Goudge

1 Q Then lastly, sir you told  
2 us a good deal about the contingency plan that went  
3 into effect when the spill was discovered. Was that a  
4 contingency plan that was confined to the company, to  
5 Mitsubishi?

6 A No, it also included the  
7 Maritime Safety Agency or their coastguard. As soon  
8 as a spill occurs in Japan, they must inform the  
9 Maritime Safety Agency.

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C.W. Nicol  
Cross-Exam by Goudge

Q The Maritime Safety  
Agency then takes on a co-ordinating role?

A Also an active role. If  
you remember from my evidence they immediately mobilized  
41 patrol boats.

Q So that in effect you have  
a state contingency operation.

A Yes.

Q And what's your view of  
the effectiveness of that in comparison with the contin-  
gency plan that relies only on the company's employees?

A It would depend on the  
resources available to the company, and the resources  
and availability of offices and trained men from govern-  
ment. If you're talking about the Burrard Inlet area,  
where we have trained coastguard people and trained  
harbours people, special Harbours Board people immediat-  
ely available, then obviously a joint contingency plan  
is probably the most effective way to go, but if we were  
talking about the Arctic where a camp for an installation  
would not have government equipment and men immediately  
available, then certainly the contingency plan for that  
area would have to rely on the training and equipment  
available to the company or the industry right there.  
Of course reporting is essential and crucial, immediate  
reporting so that immediately; if the spill is too  
large a proportion for industry to handle on-site, then  
an officer from a government department must be in  
immediately to assist the industry in assessing the need  
for further action. This is one of the problems that



C.W. Nicol  
Cross-Exam by Goudge

1 bothers me because I know that in B.C. it's very  
2 often impossible for me to get out and do anything  
3 sensible, even in an area as close as Indian Arm if it's  
4 seven or eight o'clock at night, then I can't really get  
5 up to Indian Arm and do anything valuable. I think in  
6 the Arctic these kind of problems will be even more  
7 extreme in winter.

8 Q Given though that  
9 contingency plans in the Arctic may have to involve  
10 large numbers, perhaps numbers beyond the individual  
11 company, does that not dictate some kind of joint  
12 contingency plan?

13 A Certainly, a contingency  
14 plan should be able to rely on all available resources,  
15 but I'm sure the industry doesn't want government  
16 pollution officers sitting on their doorstep waiting  
17 for an oil spill.

18 MR. GOUDGE: Thanks, sir. Those  
19 are all the questions I have.

20 THE COMMISSIONER: Any re-  
21 examination, Mr. Bayly?

22 MR. BAYLY: No re-examination,  
23 Mr. Commissioner.

24 THE COMMISSIONER: Well, thank  
25 you very much, Mr. Nicol. We certainly appreciated  
26 your presentation yesterday and the slide show and  
27 your willingness to answer questions. We're in your  
28 debt, sir. Thank you.

29 (WITNESS ASIDE)

30 MR. GOUDGE: I think, sir,





1 Mr. Bayly proposes to present a panel headed by Dr.  
2 Usher.

3 THE COMMISSIONER: How are we  
4 fixed for coffee? Would this be a --

5 MR. BAYLY: I think one of my  
6 witnesses is just having it now, sir.

7 THE COMMISSIONER: Well, let's  
8 adjourn and join that.

9 (PROCEEDINGS ADJOURNED AT 10:30 A.M.)  
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Usher, Noble, Allison, Cournoyea  
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(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. BAYLY: Mr. Commissioner,  
I have provided copies of the summaries of evidence  
for you, sir, and I propose to go from panel member  
to panel member with regard to their qualifications.

PETER J. USHER, resumed:  
MISS GAILE NOBLE,  
MISS LORRAINE ALLISON,  
MRS. NELLIE COURNOYEA, sworn:

DIRECT EXAMINATION BY MR. BAYLY:

Q We'll start with you,  
please Peter Usher. Could you tell me whether you  
have prepared the curriculum vitae that is attached to  
your Banks Island Petroleum Exploration evidence at  
my request?

WITNESS USHER: Yes, I prepared  
that. Is this on O.K.?

Q Yes. Would you go through  
that curriculum vitae, please, and discuss your qualifica-  
tions as they relate to the evidence that you're to give  
today?

A O.K., very briefly, I  
got my B.A. and M.A. in geography from McGill University;  
Ph.D. British Columbia, geography, 1970. I've worked in  
the north since 1962. I worked six summers and a winter  
partly for the Department of Indian Affairs on the area  
economic surveys they conducted at that time, partly  
on my own research, doctoral research on Banks Island  
for about a year, '65 to '67, and I then worked for the  
Department of Indian Affairs in Ottawa for '70 -- sorry,





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1 '67 to '72 as a research officer in the Northern Co-  
2 ordination & Research Centre, and since the fall of  
3 '72 I've been an independent consultant, chiefly working  
4 for COPE, for Inuit Tapirisat, and for the Canadian  
5 Arctic Resources Committee.

6 Q And you've listed a number  
7 of publications which you are either the author of or  
8 co-author of, and are you responsible or partly respon-  
9 sible for those publications?

10 A I am.

11 Q And you're a member of  
12 those affiliations that you've listed in your curriculum  
13 vitae as well.

14 A I am.

15 Q Now could we go to you,  
16 please, Lorraine Allison. Will you turn to the back  
17 of your prepared evidence? There there is a curriculum  
18 vitae. Did you prepare this at my request?

19 WITNESS ALLISON: Yes, I did.

20 Q And would you go over  
21 your background as it relates to the evidence that you  
22 will be giving today?

23 A In 1968 I obtained my  
24 Bachelor of Science degree at the University of Alberta,  
25 and in 1971 a Master's degree in zoology at the  
26 University of Toronto. From 1968 right through 1974,  
27 I did research on various species of mainly large  
28 game, both as thesis research and for the Canadian  
29 Wildlife Service. In 1974 I left the Canadian Wildlife  
30 Service and took up my present position on contract



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1 with COPE to work primarily with this Inquiry and also  
2 to advise COPE's Board of Directors on biological  
3 aspects of other projects.

4 Q And you've listed a number  
5 of publications and reports of which you are either the  
6 author or the co-author, and you're responsible for  
7 those publications?

8 A Yes, I am.

9 Q Can we go to you now,  
10 please, Gaile Noble, and at the front of your  
11 prepared evidence there is a curriculum vitae. Did you  
12 prepare this at my request?

13 WITNESS NOBLE: Yes, I did.

14 Q And would you go over  
15 that, please, and discuss with the Commission those  
16 items that relate to your experience and the evidence  
17 that you will give today?

18 A I took my under-graduate  
19 work at Barnard College in New York. I had Peace Corps  
20 training in world community development at Michigan  
21 State University. I have a Master's degree in develop-  
22 ment sociology at Cornell University; the Department  
23 of Rural Sociology. I have a Master's in community  
24 organization from the University of Washington, School  
25 of Social Work. My past experience, I suppose it's  
26 been mostly in rural so-called developing areas as a  
27 social worker, as a teacher, as a community organizer.  
28 I was a social worker for two years on the Tulalip  
29 Indian Reserve in Washington State. From there I went  
30 into the Peace Corps for three years working with





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1 Mapuche Indian Reserves in South Chile. After that  
2 and  
3 I returned to the United States in conjunction with my  
4 degree at Cornell, I worked in the Mississippi Delta as  
5 a volunteer with the Black Civil Rights organization and  
6 working on my thesis that had to do with economic  
7 development in rural areas and regional planning, the  
8 economic development administration. From there I was  
9 a teacher at Navajo Community College working with  
10 both adults and High School students. I came to the  
11 Northwest Territories in 1973 with the Territorial  
12 Government as a supervisor of social development. This  
13 was primarily in the communities of Central Mackenzie,  
14 and since 1974 I've been working for COPE<sup>first</sup> as a field  
15 worker on the community pipeline impact information  
16 program, and secondly as a resource or social consultant.

16 Q And you've listed in your  
17 curriculum vitae a number of publications, and can you  
18 tell me whether you're responsible for the publications  
19 listed there?

20 A Yes, I am.

21 Q Now, Nellie Cournoyea,  
22 if we could turn to the back of your evidence and we  
23 find there a curriculum vitae, and was that prepared at  
24 my request?

25 WITNESS COURNOYEA: Yes, it was.

26 Q And could you tell me  
27 with regard to it whether you are presently a land  
28 claims negotiator for the Western Arctic for Inuit  
29 Tapirisat of Canada?

30 A Yes, I am.



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1 Q And you're a member of  
2 the Board of Directors of COPE and have been since  
3 1970?

4 A Yes.

5 MR. BAYLY: Mr. Commissioner,  
6 I propose that the evidence should be called in the  
7 following order just for your guidance, sir. The  
8 presentation of Peter Usher on Banks Island petroleum  
9 exploration; then the presentation of Lorraine  
10 Allison on the experimental dumping of oil in the  
11 Beaufort Sea; then the presentation of Peter Usher on  
12 producers' proposal and MDDGAG; then the presentation  
13 of Gaile Noble on planning and public participation in  
14 the Mackenzie Delta; then the presentation of Peter  
15 Usher on assessment and consultation analysis and  
16 conclusions; and then the submission to panel on consul-  
17 tation and assessment of Nellie Cournoyea.

18 Q Could we start with you  
19 then, Peter Usher, and would you begin the presentation  
20 that is entitled:

21 "Banks Island Petroleum Exploration"?

22 WITNESS USHER: On the 26th  
23 of June, 1970, representatives of Elf Oil Exploration and  
24 Production Canada Ltd. and Deminex (Canada) Ltd. arrived  
25 at Sachs Harbour to advise the community that they held  
26 exploration permits for large areas of Banks Island,  
27 and would commence seismic exploration during the  
28 winter of 1970-71. The dismay expressed by the  
29 villagers apparently came as a surprise to both the  
30 petroleum exploration companies and to the Federal





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1 Government, although in my view it need not have done so.

2 The first exploration permits for  
3 Banks Island were taken out in 1960, and within ten  
4 years, exploration rights had been granted for the entire  
5 island and its adjacent waters.

6 (QUALIFICATINS AND EVIDENCE OF PETER J. USHER MARKED  
7 EXHIBIT 551)

8 (QUALIFICATIONS AND EVIDENCE OF LORRAINE ALLISON  
9 MARKED EXHIBIT 552)

10 (QUALIFICATIONS AND EVIDENCE OF GAILE P. NOBLE  
11 MARKED EXHIBIT 553)

12 (QUALIFICATIONS AND EVIDENCE OF NELLIE J. COURNOYEA  
13 MARKED EXHIBIT 554)

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1                                   The largest single permit  
2 holders as of 1970 were Elf Oil exploration, 28.1 per-  
3 cent of the island, Panarctic Oils, 27.9 percent and  
4 Amoco     Canada, 13.4 percent. Twenty other companies  
5 share the remaining 30.6 percent of the island's  
6 acreage.

7                                   About two-thirds of all  
8 exploration permits were granted before 1968 and hence,  
9 were valid for eight<sup>years</sup> from the date of issue with a  
10 renewal period of six years. Permits issued subsequently  
11 were valid in the first term for only six years, with  
12 a six year renewal period. To date, no production leases  
13 have been granted on Banks Island.

14                                  The present community of Eskimos  
15 on Banks Island descends largely from a group of  
16 trappers from the mainland who began trapping there in  
17 the late 1920's and early '30's. The use of the island  
18 has been virtually continuous since that time. The  
19 Trappers Association was granted exclusive trapping  
20 rights by the Territorial Government to the southern  
21 two-thirds of the island in 1963 and this had been  
22 extended to cover the entire island in 1966.

23                                  Legally, the nature of two  
24 rights, exploration and trapping to the same territory  
25 was quite distinct, yet the potential for conflict  
26 should not have been altogether unforeseen. Either no  
27 responsible official of the Department of Indian  
28 Affairs and Northern Development had considered this  
29 possibility or it had not been communicated to the  
30 Oil and Mineral Division. Certainly it was not



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1 communicated, at least not in writing to the oil companies  
2 when they applied for their permits.

3 On the other hand, neither  
4 were the Bankslanders informed that exploration rights  
5 were being granted to oil companies, let alone what the  
6 future consequences of this might be. The Bankslanders,  
7 like other inhabitants of the western Arctic, had been  
8 vaguely aware since the early '60's that people were  
9 looking for oil in the region. Who these people were,  
10 what plans they had, what the manner of their exploration  
11 techniques would actually be, what rights they had and  
12 what the implications of their activities would be;  
13 were essentially matters of speculation and rumor.

14 Aerial geophysical work was  
15 first conducted on Banks Island in the summer of 1966,  
16 using Sachs Harbor as a base. Now, small crews conducting  
17 brief aerial surveys were nothing new to the Bankslanders,  
18 and thus no special significance was attached to that  
19 event. To the extent that the people thought about  
20 petroleum development in the island at all, it was  
21 conceived in extremely vague terms as somehow being a  
22 potential source of money to them.

23 The petroleum companies and  
24 the Bankslanders were apparently ignorant of each others  
25 interests and objectives in the first instance, yet  
26 both were under the jurisdiction of the same department  
27 of the government, a department ultimately responsible  
28 for granting both exploration and trapping rights as  
29 part of its broader responsibilities for both northern  
30 economic development and the welfare of the indigenous





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1 people. Only the Department of Indian Affairs could  
2 have been expected to provide the necessary links of  
3 communication.

4 If you'd just excuse me a  
5 minute , I'm going to take this apart. It'll be easier  
6 to read.

7 The granting of permits remain  
8 merely a paper transaction. Mutual ignorance was of  
9 no consequence, but exploration permits carry work  
10 requirements and in 1970, several of the permit holders  
11 sought to fulfill them.

12 Elf and Deminex, the latter  
13 chiefly on behalf of Amoco, made their intentions known  
14 to the department early in the year. When petroleum  
15 exploration is to be conducted within migratory bird  
16 sanctuaries, as was the case on Banks Island, permits  
17 must also be obtained from the Canadian Wildlife Service  
18 which was then, also an agency of the Department of  
19 Indian Affairs. These permits were issued as early  
20 as the 14th of April, 1970. Work plans were filed with  
21 the Oil and Mineral Division shortly thereafter.

22 For the petroleum companies,  
23 these were the final stages in the preparation of an  
24 exploration program costing over 5 million dollars.  
25 Funds and manpower for these projects had already been  
26 allocated and indeed, equipment was by then in transit.  
27 Other subcontracting firms were also involved which had  
28 even less reason to be aware of the Bankslanders interests  
29 than the permit holders themselves.

30 Petroleum company officials



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Harbour

1 visited Sachs on the 25th of June, merely to inform the  
2 Bankslanders of a program already underway and to  
3 enlist local cooperation and possibly labor.

4 The petroleum company represen-  
5 tatives arrived at Sachs Harbor almost totally ignorant  
6 of the nature of the community and of the interests and  
7 concerns of the trappers. This was in spite of the  
8 fact that <sup>they</sup> were accompanied by a Federal Government  
9 representative from Inuvik.

10 The oil men were apparently  
11 unaware that the community held trapping rights to the  
12 entire island. They did not know that for both economic  
13 and social reasons, casual labor offered at \$1.67 an  
14 hour would be more of an insult than an enticement. They  
15 did not know that the distribution of free cigarettes  
16 might be interpreted as a cheap bribe.

17 When the Bankslanders expressed  
18 fears about the effect of seismic work on trapping and  
19 hunting, the oil men tried to reassure them and said  
20 they would cooperate with the trappers. Such offers,  
21 though well meant, underestimated the nature of the  
22 problem. The oil men left this initial meeting apparently  
23 satisfied, thinking that since only doubts and fears  
24 were expressed, rather than firm opposition, the  
25 villagers would ultimately be won over.

26 It is not the Bankslanders way  
27 to react quickly and firmly to proposals presented for  
28 the first time at a public meeting. Rather, such  
29 proposals are discussed informally among groups of two  
30 or three people during the following days while visiting,





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while hunting or perhaps during a chance meeting while walking about the village. New arguments are presented and considered and then communicated to others.

Slowly, each persons appreciation of the problem grows and a consensus begins to emerge. Hence, opposition to the exploration program was found to be firmer and more united at subsequent meetings. This has been interpreted by some as a result of outside influence. Although native rights activists from the mainland did indeed offer assistance to the Bankslanders, in my view, this interpretation misunderstands the process of opinion formation in the community.

The Bankslanders opposition to petroleum exploration focused on three issues.

The first was the concern for the effects on the island's ecology and hence their own economic wellbeing.

The second was a less precise but nonetheless pervasive anxiety about the implications of petroleum development for the future of their community and way of life.

The third, was a sense of outrage over the lack of prior consultation and what they took to be an abrogation of their traditional rights. Questions of aboriginal land rights and related considerations were aspects of the third concern, but were probably not uppermost in the minds of the majority of trappers at that time.

By chance, the visit of the oil men preceded the planned conference of Arctic native



Noble, Usher, Allison, Cournoyea  
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1 people to be held at Coppermine, Northwest Territories  
2 by a mere three weeks. The Bankslanders had already  
3 selected two delegates to this conference which was to  
4 discuss mutual concerns, including aboriginal land  
5 rights on an Arctic wide basis for the first time.

6 Political awareness had  
7 grown rapidly in many parts of the Arctic during the  
8 previous few years and a number of native rights  
9 organization had been established. Within the western  
10 Arctic, the Committee for Original Peoples Entitlement  
11 (COPE) had been formed earlier in 1970 and many Banks-  
12 landers had already joined this organization.

13 Like many northerners, they  
14 were aware of developments in neighboring Alaska,  
15 regarding native land rights and petroleum exploration.

16 Within a week or so of the  
17 first visit, a strong consensus of opposition to  
18 petroleum exploration had developed within the community.  
19 The Bankslanders enlisted the aid of COPE and at the  
20 latter's suggestion, one of the trappers went to  
21 Yellowknife on behalf of the community association to  
22 seek legal advice.

23 The delegates from Sachs  
24 Harbor attended the Coppermine conference from the  
25 14th to the 18th of July. The session on the second  
26 morning was given over largely to a discussion of the  
27 impending exploration program on Banks Island. The  
28 Bankslanders explained their problem, and several other  
29 delegates commented on similar ecological disruptions  
30 which had occurred in their own areas. It was resolved



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1 to send a telegram to the Prime Minister with a copy to  
2 the Minister of Indian Affairs, calling for an  
3 immediate halt to petroleum exploration on Banks Island,  
4 for prior consultation with regard to the future  
5 activities of this nature and for the recognition of  
6 aboriginal rights. This telegram was signed by the  
7 two Sachs Harbor delegates and bore the supporting  
8 signatures of 26<sup>other</sup> delegates from 21 other communities.

9 In the meantime, representatives  
10 of Deminex met with the trappers at Sachs Harbor on the  
11 24th of July, and Elf representatives did likewise on  
12 the 29th of July. At both meetings, relations were  
13 strained. The trappers raised questions concerning  
14 both wildlife protection and mineral rights. The trappers  
15 state that petroleum company officials told them not  
16 to publicize the issue through the media as "it would  
17 only cause trouble". This was interpreted by the  
18 trappers as a threat, although the companies may only  
19 have been requesting<sup>further</sup> mutual discussions unhindered by bad  
20 publicity. The result of these meetings was to deepen  
21 the Bankslanders' opposition to the exploration program.

22 The Minister of Indian Affairs  
23 sent a telegram on the 30th of July, arranging a meeting  
24 at Sachs Harbor between departmental officials and the  
25 community. This was followed by a specific response  
26 to the points raised in the Coppermine telegram expressing  
27 surprise at the Bankslanders' concern over the planned  
28 seismic work and giving assurances that the forthcoming  
29 land use regulations and scientific studies would be  
30 quite adequate to prevent any harmful consequences.





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1 This second communication was  
2 delivered at the meeting on the 5th of August by the  
3 departmental delegates. The delegation consisted of  
4 two officials from the Northern Services Division and  
5 one from the Canadian Wildlife Service accompanied by  
6 Pat Carney, then a journalist on contract to the  
7 Northern Economic Development Branch and Agnes Semmler  
8 of Inuvik representing COPE.

9 The contract consisted of a  
10 short-term assignment to visit Sachs Harbor with the  
11 departmental delegation and prepare an independent  
12 assessment of the situation for the department. The  
13 resulting 53 page report, including appendices entitled  
14 "The Banks Island Conflict" was not made public. Agnes  
15 Semmler was invited by Pat Carney. The Department of  
16 Indian Affairs did not, at this or any subsequent time,  
17 recognize COPE as an interested party in the dispute.

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Usher, Noble, Allison, Cournoyea  
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1                   The departmental officials,  
2     some of whom were already personally known to the  
3     Bankslanders, made it clear that they had come to listen  
4     to their concerns. They were well received although the  
5     Bankslanders unhesitatingly reiterated their fears for  
6     both the wildlife resources and their own community as  
7     a result of oil exploration. Thorough and sympathetic  
8     reports were submitted to the department, and in fact a  
9     moratorium on exploration was suggested pending adequate  
10    research.

11                   The Bankslanders' response to  
12    the Minister's telegram, however, was less enthusiastic,  
13    because they remained quite unsatisfied by the assurances  
14    it contained. They requested a meeting with the Minister,  
15    which was arranged for the 16th of August during his  
16    already planned tour of the north. The Bankslanders,  
17    realizing the importance of this meeting, arranged to  
18    have their legal counsel present as well as a represen-  
19    tative of COPE. The Minister was accompanied by the  
20    chief of the Oil and Mineral Division. The meeting  
21    commenced with the legal counsel outlining the Banks-  
22    landers' demands. The lack of prior consultation and the  
23    lack of adequate regulations covering oil exploration  
24    activity were deplored. The Bankslanders would not  
25    be satisfied with compensation after the damage was done,  
26    and hence requested an immediate halt to all explora-  
27    tion until it could be conclusively demonstrated that  
28    such activity would not adversely affect wildlife.  
29    They further requested a definite response from the  
30    Minister on these matters during this meeting.





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1                   The Minister acknowledged that  
2     consultation should have occurred, but also stated that  
3     the people should have guessed that exploration would  
4     take place, since it was occurring elsewhere. Now the  
5     problem was to cope with the existing situation. He  
6     assured the trappers that the regulations would be  
7     formulated in advance of actual exploration, and that  
8     operations would be inspected by the department. He  
9     invited the trappers to participate in this inspection  
10    program, and noted that the Canadian Wildlife Service  
11    was preparing a report on the situation as well.

12                  Several trappers pointed out  
13    that they were also experts on Banks Island wildlife,  
14    and asked why the Minister was not prepared to act on  
15    their advice. The Minister stated that it was possible  
16    to have both oil exploration and trapping, and he wanted  
17    to find out the facts, then make a decision, but added  
18    that there was no proof that oil exploration would  
19    harm wildlife.

20                  Legal counsel replied that  
21    the Minister did not yet know what the effects of oil  
22    exploration would be, and hence was not in a position  
23    to formulate regulations until this was known. The  
24    Minister acknowledged that it was within his power to  
25    halt the exploration program, but pointed out that the  
26    companies had already dispatched their equipment. How-  
27    ever he said he would be in a position to make a  
28    decision before the trapping season began. Experimental  
29    seismic work could be conducted with the villagers ob-  
30    serving, and in any case the seismic lines could be



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1 adjusted to avoid the traplines.

2 The Minister also stated that  
3 if resources were discovered it could be of great bene-  
4 fit to the Bankslanders. Everyone had to cope with pro-  
5 gress and there could be something to be gained.  
6 Discussion ensued on the nature of the exploration work  
7 and possible safeguards. Essentially, the Minister and  
8 the chief of the Oil & Mineral Division continued to  
9 minimize the possibility of adverse effects, while  
10 the Bankslanders continued to express doubts.

11 The Minister declined to make  
12 any final decision on the program at the meeting. He  
13 reiterated the promise that further tests would be  
14 undertaken before the trapping season (although the  
15 nature of these tests was not specified), and that a  
16 continuous inspection would be maintained over the  
17 operation. He believed that the work should not start  
18 until the ground was frozen, and offered an arrangement  
19 whereby the trappers could take part in the inspection  
20 and receive reimbursement for their time during the  
21 trapping season. He stated that it was too late to  
22 stop the petroleum companies now, but that actual work  
23 would not begin without his express permission, which  
24 would be granted on the basis of pre-season tests.  
25 Further, he undertook to call a halt to the program at  
26 any time if adverse effects on wildlife were clearly  
27 occurring. Finally, he promised that communications  
28 would be better in the future, and asked the Banksland-  
29 ers to let him know if they had any complaints.

30 The meeting thus resulted in a









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off-loaded at their base camps at Johnson Point and Fish Lake.

The Bankslanders were only advised of the meeting a few days in advance. They were not entirely aware of its purpose, especially since the government delegation did not include senior officials. Their view seems to have been that it was just another meeting at which little would be resolved.

COPE executives also learned of the meeting, but could not ascertain its exact date. The trappers wanted COPE representation at the meeting. They were worried about having to pay their air fare, however, and since they were unsure of the significance of the meeting, they did not specifically request COPE to come. Radio-telephone connections between Sachs Harbour and Inuvik were quite poor during these few days and communication was difficult. During one conversation, Nellie Cournoyea of COPE tried to warn the trappers not to commit themselves to anything at the meeting unless they had their lawyer and a COPE representative there, but at this point voice communication completely faded out. COPE representatives tried to get to Sachs Harbour for the meeting, but they could not find out from departmental representatives in Inuvik (who were responsible for the local arrangements) when the charter would be leaving, nor even which plane would be used. In the end, the government and company party transferred directly from the scheduled flight from Edmonton to a chartered aircraft at the airport without



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1 even going into Inuvik. Although there was no room on  
2 the charter, it was by then too late for anyone from  
3 COPE to get on.

4 The Bankslanders' lawyer,  
5 Brian Purdy, in Yellowknife was at this time on vacation.  
6 Ottawa officials claim to have contacted his office  
7 before the meeting, but the -- although there was room  
8 on the charter. Sorry, where am I?

9 The Bankslanders' lawyer,  
10 Brian Purdy, in Yellowknife was at this time on vacation.  
11 Ottawa officials claim to have contacted his office  
12 before the meeting, but the lawyer claims that he was  
13 not notified although his secretary had instructions  
14 to relay such messages to him during his absence. In  
15 any case, as a result the Bankslanders were unrepresent-  
16 ed at this meeting by either their lawyer or COPE.

17 The government delegation  
18 consisted of three officials from the Northern Economic  
19 Development Branch, headed by the chief of the Oil &  
20 Mineral Division as well as the Territorial Superintendent  
21 of Game. They were accompanied by two representatives  
22 each from Elf and Deminex. Virtually all of the  
23 trappers were present at the meeting. The Bankslanders  
24 later told me in effect that the meeting appeared to them  
25 a contest between two adversaries, the government and the  
26 oil companies on one side, using glib assurances and  
27 big words, and themselves on the other side, unrepresent-  
28 ed by anyone who really understood what was going on.  
29 To them,<sup>a</sup> government department responsible for the wel-  
30 fare of native peoples appeared as adversaries to a





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1 group of Eskimos and was party to an important agreement  
2 with that group, without ensuring that they were properly  
3 represented by whatever legal or other local counsel  
4 they had designated to act on their behalf. The feeling  
5 was strong among both the Bankslanders and COPE officials  
6 that such representation was consciously and deliberately  
7 excluded from the meeting.

8 In essence, the people were  
9 told only that two seismic programs would occur that  
10 year, with the possibility of perhaps a couple more the  
11 next year, that there would be a minimum of men, equip-  
12 ment and traffic, and that only a tiny fraction of the  
13 landscape would be used. The considerable distance between  
14 seismic lines was emphasized, and it was further asserted  
15 by both government and industry that since only a tiny  
16 area would be used that accordingly only a tiny area  
17 would be affected. This assertion was without scientific  
18 foundation at that time, as it still is today.

19 At no time did either the  
20 government or industry officials ever provide the infor-  
21 mation that seismic exploration might in fact continue  
22 for a decade, with lines being run increasingly close  
23 together, that hundreds of wells might be drilled if  
24 the basin were at all promising, that both exploration  
25 and development would occur offshore as well as onshore,  
26 and that the discovery of oil and gas would surely lead  
27 to the installation of gathering facilities, processing  
28 plants, pipelines, storage areas, port facilities and  
29 so on.

30 The Bankslanders were most



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1 unhappy about having been unrepresented by COPE and  
2 counsel at the meeting, especially in view of the  
3 importance it turned out to have had. This was no  
4 straightforward business deal of the type they were  
5 used to handling.  
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1 The Bankslanders were being asked to agree to a program  
2 having profound implications for their future, and  
3 involving a number of technical considerations of which  
4 they had little or no knowledge. Although they entered  
5 the meeting with the same caution they would have used  
6 in a business deal, they did not have the same kind of  
7 experience and knowledge to handle it. They were unsure  
8 of the intentions of their adversaries and unsure of  
9 the nature and significance of the program to which  
10 they were being asked to agree. They knew only that  
11 they felt defenceless; that they had no way of arguing  
12 against what they saw as "smooth talk and big words",  
13 and that there was apparently a united front of the  
14 companies and the government, even including game  
15 officials, against them.

16 The Bankslanders say they  
17 were told in effect that there was no use fighting the  
18 exploration program and that the government's proposals  
19 were the best that could be done about it. The Banks-  
20 landers saw no alternative but to go along with them.  
21 The following day they reported to OPE and to the media  
22 that they would not proceed with the injunction, because  
23 they felt they had neither the money nor the ability to  
24 take on both the government and the oil companies. They  
25 felt they had no alternative but to live with oil,  
26 exploration and therefore accept whatever concessions  
27 were offered and make the best of them. Their resistance  
28 was broken. A few wished to carry on the struggle but  
29 knew that unless the community was united in doing so,  
30 it could not be won.





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Two weeks later the land use inspector came to Sachs Harbour to explain the regulations under which the oil companies had agreed to operate and to outline his own duties and powers. Subsequently a trappers' meeting was held to arrange a rotating system whereby individual trappers would go out with the exploration crews on inspection.

Why had the Bankslanders fought the exploration program, and what had they feared from it? Chiefly they feared for their livelihood. They were concerned that the impact of the noise, smell, overland travel and human activity involved in seismic exploration would adversely affect the presence and numbers of foxes and caribou. They also feared the possibility of marine seismic work and its potential effects on seals.

Concern was also expressed about general environmental damage such as trenching and gullying of tundra areas due to the passage of heavy tractors as well as pollution from garbage dumps, supply dumps and fuel storage facilities, especially in view of damage done on the Tuk Peninsula during the mid-1960s.

The Bankslanders felt not only that oil exploration could destroy the basis of their livelihood, but also that it might leave nothing in its place. They considered laboring jobs with the oil companies an unsatisfactory alternative because they would be less remunerative than trapping, certainly less enjoyable, and very possibly short-lived. If



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1 wildlife were destroyed and oil were not found, they  
2 would be left with nothing. If oil were found, they  
3 feared they would derive no benefit from it, in terms of  
4 either land rights or production royalties.

5 The Bankslanders were pessimistic  
6 about the prospects for themselves and their community.  
7 They foresaw Sachs becoming another welfare town,  
8 robbed of its independence and overrun by outsiders.  
9 Although they were less able to articulate it, the  
10 Bankslanders feared the destruction of their community  
11 and their values as well as of wildlife. They recognized  
12 that not only their economy but their very way of life,  
13 which was also rooted in the land, was threatened.

14 In my view, the Bankslanders'  
15 fears were largely justified. There were no regulations  
16 in force at that time governing the environmental impact  
17 of exploration activity. Evidence regarding the  
18 effectiveness of the regulations now in force will be  
19 led later in this Inquiry. Some possible impacts of  
20 such activity on wildlife have been outlined in another  
21 panel. In 1970, scientific knowledge of these impacts  
22 in tundra environments was almost entirely non-existent.  
23 There was no scientific basis for predicting the  
24 effects of seismic activity on the chief economic  
25 species of Banks Island.

26 It is important to recall that  
27 the Bankslanders did not insist that damage would  
28 definitely occur; they merely suggested that it was  
29 possible and indeed probable, in their opinion that the  
30 effects outlined earlier might take place. It may be





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1 that these fears were exaggerated, but in the view  
2 of competent wildlife biologists they were not unfounded.  
3 Yet several officials from both the Department of Indian  
4 Affairs and the oil companies told the Bankslanders  
5 that these things would not happen, or that the planned  
6 regulations and modifications would be sufficient to  
7 prevent their occurrence. The only way such claims  
8 could be validated or disproved was through a long-term  
9 research program, probably extending at least four or  
10 five years in the case of foxes in order to trace  
11 developments over a complete population cycle. Such a  
12 study would require a complete analysis of the  
13 distribution and dynamics of the fox population on the  
14 island, as well as of territorial, migratory, denning and  
15 reproductive behavior, prior to the commencement of  
16 unnatural disruptions. It would also require an investi-  
17 gation of the problem of stress: whether noise, fumes and  
18 high levels of human activity are indeed stressful for  
19 foxes, and if so what their response is to such stress  
20 and whether it varies with sex, age or season. No such  
21 comprehensive studies had been carried out on Banks  
22 Island or anywhere else in the Arctic, nor had even  
23 a detailed methodology for such studies been elaborated.

24 As for the Bankslanders' fears  
25 regarding their community and way of life, I will not  
26 comment here, since evidence in this regard has been  
27 given at community hearings and further evidence will be  
28 led in Phase 4. Suffice it to say, that it is by now  
29 evident that similar fears are still being expressed  
30 perhaps with even greater intensity by many people



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1 in virtually every native community you have visited.

2 The Bankslanders did not call  
3 for a total and permanent ban on exploration. They  
4 requested that exploration and drilling first be conduc-  
5 ted on islands uninhabited by people, and the necessary  
6 scientific research be done to show one way or another  
7 the effects of such activity. They were not entirely  
8 against oil exploration at that time for they said that  
9 if they could be shown that damage or generally adverse  
10 effects were non-existent or minimal, they would have  
11 much less objection to exploration activity on Banks  
12 Island.

13 The compromise program consisted  
14 of four principal elements: The protection of terrain  
15 and wildlife, inspection of seismic work, compensation  
16 and research. The agreements set out -- the agreements  
17 between the government and the oil companies are set  
18 out in a document entitled:

19 "Schedule of operating conditions, oil and gas  
20 exploration, Banks Island, N.W.T."

21 The government's undertakings to the Bankslanders are  
22 contained in correspondence to the Community Association  
23 or were given as verbal assurances.

24 Now the evidence that I have  
25 given so far suggests that only the elimination of  
26 exploration activity could have met the concerns of  
27 the Bankslanders' for the protection of terrain and  
28 wildlife.

29 Given that the likely conse-  
30 quences of exploration were unknown, it follows that



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1 there could not have been any sound basis for regulating  
2 it. There was some discussion of avoiding critical  
3 areas on the island. However, neither the size nor the  
4 configuration of these critical areas (or indeed even  
5 the criteria for establishing same) were known at that  
6 time.

7 Inspection was to be done by  
8 both departmental inspectors and the trappers themselves.  
9 Regarding the protection of wildlife, this again could  
10 have done little to meet the objections of the Banksland-  
11 ders, because the inspectors were not in a position  
12 to know which aspects of the operation were potentially  
13 harmful. For the same reason, the presence of the  
14 trappers in an inspecting role was of little value.  
15 Other than advising on the location of traplines, there  
16 were few modifications of the operation they could  
17 recommend, since in their view the very presence of the  
18 exploration crews was a potential threat to wildlife.

19 The Minister repeatedly guaran-  
20 teed that he would call an immediate halt to exploration  
21 if there were any evidence of detrimental effects to  
22 wildlife. These assurances were of rather limited value  
23 since they were based on the assumption that adverse  
24 effects on wildlife would be marked by a sudden and  
25 dramatic event. It was more likely that if environmental  
26 degradation occurred, it would be a slow, cumulative  
27 process becoming evident only after a long period of  
28 time. If adverse effects on Banks Island animal popula-  
29 tions occurred, either as a result of direct stress or  
30 of habitat deterioration, they would not likely have





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1 become evident for months, or more possibly years, by  
2 which time it would probably have been far too late for  
3 preventative measures.

4 Unmentioned was the problem  
5 of who would assess damage and on what basis, and the  
6 actual criteria for forcing alterations or a halt to an  
7 exploration program. It seemed most unlikely that a  
8 long-term or permanent halt would be called on the basis  
9 of imputed damage, the cause of which could not  
10 immediately or perhaps ever be surely known or attri-  
11 buted, however real that damage might later turn out  
12 to be.

13 For this reason, the provisions  
14 for compensation were also of very limited value. A  
15 damaged trap would be replaced, but in the event of a  
16 reduction of harvest alleged to result from exploration  
17 activity, it would be extraordinarily difficult to prove  
18 damages and their extent. Court action in such an  
19 instance would surely mean a long delay, an uncertain  
20 prospect of victory, and the possibility of only a  
21 token award.

22 The Department of Indian  
23 Affairs acknowledged the need for research and undertook  
24 to conduct the necessary studies. This responsibility  
25 was delegated to the Canadian Wildlife Service, although  
26 funds for this project were not immediately forthcoming.  
27 Subsequently a research program<sup>was</sup> devised by the Territorial  
28 Game Management Service with the Wildlife Service acting  
29 in an advisory capacity.



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1 Research was begun in the early  
2 winter and continued with limited funds and personnel  
3 for two years. Divided jurisdiction and interest between  
4 the Northern Economic Development Branch, the Canadian  
5 Wildlife Service, which during the controversy, was  
6 transferred from the Department of Indian Affairs to the  
7 Department of Fisheries and Forestry, and the Territorial  
8 Game Management Service made difficult the clear and  
9 continuous administrative direction of this program.

10 The research program became  
11 more comprehensive than senior departmental officials  
12 originally appear to have conceived. The Minister con-  
13 veyed the impression to the Banklanders at his meeting  
14 with them that the Wildlife Service was already working  
15 on the problem and would be able to present the necessary  
16 information to him before seismic work began. In fact,  
17 no serious research was conducted until exploration was  
18 already in progress.

19 At the same meeting, the Minister  
20 stated that although he did not know the consequences  
21 of exploration on wildlife at that time, he would be in  
22 a position to make a decision before the program  
23 commenced. Yet, no new information to my knowledge,  
24 became available to him between the 16th of August and  
25 the 3rd of October, when the seismic crews were per-  
26 mitted to go ahead.

27 Although he stated that experi-  
28 ments could be conducted before the program began, none  
29 were. In any case, no one appears to have known what  
30 the nature of these experiments would have been. It





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1 was stated that the decision to allow the oil companies  
2 to go ahead would depend on tests. These tests, in fact,  
3 consisted of determining the depth of frost in the  
4 ground and nothing else. In fact, the land use inspec-  
5 tor had neither accurate knowledge of the relationship  
6 between depth of frost and soil bearing strength, nor  
7 a clear understanding of the soil refreezing process  
8 under permafrost conditions.

9 He was not provided with such  
10 information by the Department of Indian Affairs at any  
11 time and appears to have been expected to base his  
12 judgments on trial and error. Yet, such scientific  
13 knowledge existed at the time and especially in view of  
14 the fact that the Department was then sponsoring its  
15 own research program on such matters, the ALUR program,  
16 it was unfortunate that the land use inspector was not  
17 given the benefit of this knowledge.

18 The Bankslanders were well aware  
19 of these inadequacies in the regulations and in the  
20 assurances given them by the Department of Indian  
21 Affairs and they felt strongly that their interests  
22 had not been well served in the dispute. Several  
23 individual oil company personnel expressed both sympathy  
24 with the Bankslanders' position and willingness to  
25 make some compromises.

26 They apparently hoped that a  
27 compromise was indeed possible. There is no evidence,  
28 however, that the companies involved would have  
29 voluntarily abandoned their exploration programs alto-  
30 gether, or foregone their rights to the island they had



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1 obtained in good faith from the government.

2 The problem was that the con-  
3 flict was not amenable to compromise, but in terms of  
4 the perceptions of the parties involved, if not in  
5 reality, called for the complete sacrifice of one set  
6 of interests in favor of another. The resolution of  
7 this conflict resulted in favor of the petroleum companies.  
8 Any inconvenience and expense caused them, by adhering to  
9 the land use regulations and contributing to the cost  
10 of inspection was miniscule in comparison to the total  
11 cost of the exploration program and the potential benefits  
12 accruing to the petroleum industry as a result of it.

13 The Bankslanders, on the other  
14 hand, faced the possibility of the total collapse of  
15 their way of life without any adequate alternative to  
16 replace it.

17 The announcement that petro-  
18 leum exploration had begun on the 3rd of October was  
19 accompanied by a departmental press release, noting  
20 the satisfaction of all parties concerned and conveying  
21 the impression that the controversy had ended amicably.  
22 Ten days later, the Minister responded to the summer's  
23 adverse publicity by writing the "Globe and Mail" a  
24 long letter of rebuttal to its original feature story  
25 and editorial.

26 To me, this letter indicated  
27 a lack of appreciation of the true state of affairs on  
28 Banks Island. A few examples are particularly interes-  
29 ting as they shed light on the department's attitude to  
30 the problem. For instance, and I quote from this article



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1 of the 13th of October, 1970, from the "Globe and Mail".

2 "The Eskimos feared change would threaten their  
3 self-sufficient way of life. This was a natural  
4 reaction for them. When some of the Sachs Harbor  
5 trappers first used the motorized toboggan, others  
6 feared it would ruin trapping. Now they will use  
7 them, and last year was one of their best years.

8 Fear is natural. To exploit it is demeaning."

9 Now, the Minister had expressed exactly those sentiments  
10 during his visit to Sachs Harbor on the 16th of August  
11 but the Bankslanders had advised him at that time that  
12 they were unfounded. The Minister also stated that --  
13 and this is a further quote from the same article:

14 "We have secured an agreement with the oil companies  
15 which both the Trappers Association and their  
16 solicitor believe meet the needs of the community.  
17 The Sachs Harbor Association was represented by  
18 its own counsel and when the agreement had been  
19 reached, he told a northern newspaper that the  
20 Eskimos had never opposed the exploration as such  
21 but feared for their livelihood. He expressed him-  
22 self as satisfied that their interest was being  
23 protected."

24 Those same assertions were re-  
25 iterated in the House of Commons on 6th of November.

26 Now, in view of the preceding  
27 account of the circumstances under which the agreements  
28 were concluded, I think little additional comment is  
29 necessary. It appears, however, that the consent of  
30 the Bankslanders' legal counsel was misinterpreted. He





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1 was unable to make personal or telephone contact with  
2 the Bankslanders after the agreements of the 3rd of  
3 September, and written correspondence was fraught with  
4 the difficulties of mail delays and the Bankslanders  
5 problems with writing long and detailed letters.

6 His agreement was based on  
7 their apparent assent to the regulations and his own  
8 admitted inability to judge the adequacy of these  
9 regulations on a scientific basis.

10 A more correct reading of the  
11 situation was that the assent of both the Bankslanders  
12 and of their legal counsel was tentative and that renewed  
13 action might be taken at any time if they felt the  
14 circumstances warranted it.

15 Finally, in the House of  
16 Commons on the 6th of November, the Minister assured  
17 the members that there had been no request from the  
18 trappers to stop the exploration program since its  
19 commencement, which proved he said, that the agreements  
20 between the three parties were adequate . The absence  
21 of complaints should not have been surprising, since  
22 the trapping season had not yet begun. However, I  
23 have already -- moreover, I have already suggested why  
24 such a conclusion was extremely premature.

25 The above description of  
26 events is derived from several sources. I made two  
27 visits to Inuvik and Sachs Harbor of about two weeks  
28 each in September of 1970 and May, 1971 as well as a  
29 brief visit to Inuvik in August, 1971. Long prior  
30 association with the Bankslanders as well as with many



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1 people in Inuvik, allowed me to obtain much information  
2 during these visits. I had many long talks with the  
3 Bankslanders themselves, attended some meetings at  
4 Sachs Harbor and listened to tape recordings of others.

5 I also talked with administra-  
6 tive personnel in Sachs Harbor, Inuvik and Ottawa who  
7 were familiar with the situation, with wildlife and land  
8 use inspection personnel in Inuvik, and with executives  
9 of the Committee for Original Peoples Entitlement in  
10 Inuvik. I also relied on filed material in the Depart-  
11 ment of Indian Affairs which I read at the time when I  
12 was an employee there.

13 To a limited degree, I have  
14 also relied on newspaper accounts and other publicly  
15 available material. Descriptions of events in this  
16 account are therefore based on a variety of sources,  
17 thus enabling a cross-check for accuracy. Positions  
18 on issues are represented as they have been stated  
19 publicly or to me personally by the principals involved  
20 and are not imputed.

21 Particularly important was my  
22 visit in the fall of 1970 at which time I was an  
23 employee of the Department of Indian Affairs and on  
24 the basis of which I wrote three lengthy memoranda  
25 containing most of the above information to my immediate  
26 superior, A. J. Kerr in October and November, 1970.  
27 I have it on his word that each of these memoranda  
28 were forwarded to his superior, W. D. Mills. The  
29 chain of command at that time went from him to A. B.  
30 Yates, director, Northern Economic Development Branch,





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1 A. D. Hunt, ADM, Northern Program; J. MacDonald,  
2 Deputy Minister; and J. Chretien, Minister.

3 I have no way of knowing how  
4 far up this chain towards the Minister my memoranda  
5 went. I know that I was only person in the department  
6 in a position to supply this information and I also  
7 know that none of these three memoranda were either  
8 acknowledged or answered, at least to me. I did send  
9 a copy of one to J. S. Tener, Director, Canadian Wildlife  
10 Service to which I did get a brief answer acknowledging  
11 the validity of the concerns expressed therein.

12 It seems clear in any event  
13 that the Minister's statements to the Bankslanders,  
14 Parliament and the public did not conform to the informa-  
15 tion which was, to my knowledge, available to him from  
16 his department throughout the controversy.

17 Although there was considerable  
18 adverse public reaction to the events on Banks Island  
19 in the fall of 1970, there is no evidence that either  
20 this fact, or the objections of the Bankslanders or of  
21 COPE had any significant impact on the manner in which  
22 government and industry operated on Banks Island.

23 For example, early in 1971,  
24 two geophysical contractors notified the department of  
25 their intention to conduct gravity surveys on Banks  
26 Island the following summer; one survey to involve  
27 the use of ground vehicles, the other, helicopters.  
28 Modifications, at least partly in accord with the  
29 September agreements, were recommended to the companies.  
30 Yet news of these plans did not reach the Bankslanders



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1 until late May and then only through independent channels  
2 despite the fact that one survey party was already on  
3 the island.

4 The department had, in correspond-  
5 ence with the companies, noted the need for local  
6 consultation, but it was not until the telegram from the  
7 Bankslanders was received by the Minister, that ~~such~~  
8 consultation was hastily arranged. The program was  
9 subsequently resolved to the satisfaction of the  
10 Bankslanders, although they perhaps rightly began to  
11 sense that with each new exploratory venture, they would  
12 be asked to acquiesce to new terms far beyond those  
13 originally agreed to in September 1970.



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There appears to have been a continuing lack of communication about exploration activity on the island. I quote from a letter from Stuart Hodgson to Digby Hunt, dated 1 October 1971, which after describing the original confrontation and agreements went on to state:

"A similar situation arose when summer seismic operations began in June 1971. The summer activities were not only contrary to the original agreements, but conflicted with the game officer's attempts to study the undisturbed summer distribution of caribou and muskoxen on the island. The forestry officer was again contacted and was unaware of proposed summer activities.

Finally, the game officer recently learned that yet further extensive exploration activities were proposed by companies other than the original two. The forestry officer was again unaware of this proposal.

From the events of the past months, it appears that the original agreements with the people of the settlement have not been honoured and that the line of communication established which should have been adequate, is completely ineffective. Furthermore, the reaction of your officials upon receipt of complaints from the people of Sachs Harbour has been to arrange further meetings to explain the situation. This in turn has been followed by





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1 further activities contrary to agreements reached  
2 at those meetings. This method is entirely  
3 unsatisfactory and has led to a critical  
4 attitude on the part of the people of Sachs  
5 Harbour. They no longer believe or trust  
6 what is told to them at meetings.

7 We have a responsibility to the people but  
8 it will be difficult to discharge that  
9 responsibility if matters continue as they  
10 are. We have the confidence of the local  
11 people and could avert potential clashes.  
12 We cannot, however, do this if we are not  
13 kept informed. It is therefore to the  
14 benefit of all concerned that the problems  
15 on Banks Island be rectified as quickly as  
16 possible."

17 Mr. Hunt reacted to  
18 this letter in a memorandum to Mr. Yates, dated the  
19 7th of October as follows:

20 "If the situation was as described we were not  
21 doing too well. However I expect this is  
22 a rather one-sided story. I would suppose  
23 Bill Armstrong should be able to handle  
24 this. Please ensure interim is sent."

25 Mr. Armstrong was then the senior DIAND official in  
26 Yellowknife.

27 Shortly after, Mr. Hunt,  
28 in a speech in Boston on the 25th of January, 1972,  
29 commented on the Sachs Harbour situation as follows:  
30 And I quote from that speech:



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1 "Oil exploration came to this island of  
2 some 40,000 square miles and the first  
3 reaction of the people was that it should  
4 be totally prohibited, kept off the island  
5 and not interfere with the Arctic fox breeding  
6 and living.

7 Here were 200 people who wanted a ranch of  
8 40,000 square miles and under that ranch,  
9 government and industry felt there might be  
10 some valuable resources that could benefit  
11 the Sachs Harbour people. Government officials  
12 sat down with the Eskimos who at first were  
13 suspicious. They were told exactly what was  
14 going on and that land use inspectors would  
15 keep a watchful eye on the seismic crews  
16 to shut them down should they do the least  
17 thing wrong. At the same time the Eskimos  
18 were asked to provide advisors -- some of  
19 their experienced trappers -- who would  
20 ensure that the seismic lines stayed away  
21 from the actual traplines, away from the  
22 denning areas, particularly during the  
23 mating season, and who would disclose to  
24 industry that local knowledge which is so  
25 essential and often overlooked by our  
26 highly skilled technicians.

27 Some one and a half years later there  
28 is an excellent rapport with the people of  
29 the community and the oil industry has now gone  
30 from seismic surveys to drilling, and activity





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1 on the island has picked up considerably."

2 It is significant that  
3 the Banks Island controversy was periodically a matter  
4 of national media attention. This occurred again as  
5 a result of the publication by the Department of Indian  
6 Affairs of my final report, which contained the account  
7 I have provided so far. It is also significant that at  
8 no time did the department publicly or privately refute  
9 the facts given in this account. I believe the  
10 publicity surrounding the exploration controversy on  
11 Banks Island over a period of two or three years had  
12 made the island a "politically sensitive" area in the  
13 thinking of senior government and industry officials.

14 Since that time, I have  
15 in my capacity as advisor to COPE, made several brief  
16 visits to Sachs Harbour, often in connection with land  
17 use meetings, and have followed land use events there  
18 in a general way. Other COPE personnel have kept  
19 meticulous documentation of most land use meetings of  
20 significance at Sachs Harbour. The following is a summary  
21 of major events based on that experience and documentation:

22 From the original  
23 confrontation, the Bankslanders felt they had gained  
24 at least some firm agreements regarding exploration  
25 activity on the island. The most important was, there  
26 would be no land-based summer activity of any kind, that  
27 is from the 30th of April until the ground was solidly  
28 frozen in the fall, generally sometime in October. Others  
29 were that they would be informed of each operation in  
30 advance and have the opportunity to comment on it and



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recommend alterations if necessary; that there would be adequate environmental research and evaluation, the results of which would be communicated to them; and that there would be adequate inspection and enforcement procedures governing all operations.

I think it is inarguable that industry's environmental record on Banks Island has shown a considerable improvement over earlier activity elsewhere. I would attribute this to the political sensitivity of Banks Island mentioned earlier. The existence of the Territorial Land Use Regulations (though not necessarily their administration and enforcement), the vigilance and determination of the people of Sachs Harbour, and the expressed commitment by at least some company officials at the operations level to maintain good relations with the community. It is also evident, however, that industry, having gained a foothold on the island, frequently seeks to alter the arrangements by which it is there, in its own favour, in order to save time and cut costs. This has resulted in frequent requests for such changes coming before the Sachs Harbour Council and/or Trappers Association. In addition, the inadequacy or unenforceability of some of the original provisions has also become evident in the last few years. I will document these assertions with the following examples.

In the spring of 1972, Elf Oil desired to move several of its rolligons from Banks Island to the mainland in order to use them there over the summer, and then return them to Banks Island



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1 for the next winter's operations. Under the agreements  
2 winter operations on Banks Island were to cease by mid  
3 April and by the 30th of April, Elf was to have removed  
4 all its equipment to their base camp at Johnson Point  
5 on the northeast coast of Banks Island. Elf now  
6 proposed to take their rolligons from the termination  
7 point at their seismic programme in the northeast, overland  
8 to Sachs Harbour in May, from where they would subsequently  
9 be barged to the mainland. A meeting was held at  
10 Sachs Harbour on the 22nd of April 1972 to discuss the  
11 proposal. Mr. David Gee, Regional Manager, Water,  
12 Forests and Lands, from Yellowknife (the senior DIAND  
13 representative at the meeting) stated that he wanted  
14 the Bankslanders to choose the best way of taking these  
15 rolligons overland. The trappers opposed the idea, in  
16 view of animal movements and activities on the island  
17 in late April and early May; they did not want such  
18 overland activity. Mr. Gee is quoted in the minutes as  
19 assuring the trappers that "we will only be using  
20 rolligons", although Mr. Gee and his agency were by  
21 law in the position of regulating rather than conducting  
22 the proposed move. One trapper stated "if we say for  
23 you to go ahead on this movement of rolligons you will  
24 keep wanting more and more." The trappers finally  
25 recommended the vehicles be moved to De Salis Bay  
26 instead, which would involve less time and distance.  
27 This suggestion was later adopted by Elf.

28 Promises made about clean  
29 up requirements prior to permit renewals proved difficult  
30 to keep. According to DIAND officials at a meeting at





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1 Sachs Harbour on the 27th of October 1972, the summer  
2 season is so brief that there is only time to make an  
3 inspection, but not to submit a report and  
4 recommendations prior to new permits being issued. Clean  
5 up therefore cannot really occur until the second  
6 summer after the mess was made. Failure to clean up  
7 may affect the granting of a permit in the third year,  
8 although there was no time limit on the \$100,000  
9 performance bond each company put up.

10 In the event that a  
11 major clean up is required, more problems arise. No  
12 overland vehicles may be used in summer, and in the  
13 case of bird sanctuaries (much of the most productive  
14 habitat and the most heavily used areas on Banks Island  
15 are contained within a bird sanctuary), helicopters  
16 are not allowed to fly in them until after the 15th  
17 of August, when the birds have left. It was acknowledged  
18 that this left only the brief period between then and  
19 the first snow to do an effective clean up job.

20 On April 9, 1973, Water,  
21 Forests and Lands officials, along with oil company  
22 representatives arrived in Sachs Harbour to meet with the  
23 Trappers Association about their proposed excavation  
24 programmes. The government officials and oil company  
25 representatives had met between themselves in Inuvik to  
26 discuss the applications prior to leaving for Sachs  
27 Harbour. This was a closed meeting. No representatives  
28 of either the Trappers Association or of COPE were  
29 invited nor were they invited to meet with either  
30 government or industry separately. The Sachs Harbour



Holte, Ulf, - Elton, John  
In Chief

1 trappers may or may not have guessed this. They  
2 were not told this had happened until I arrived just  
3 prior to the meeting that evening. I was acting as  
4 the COPE representative on behalf of the trappers at  
5 that meeting.





One of the applications

The following day in Inuvik



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1 presumably would have had much less chance of being  
2 fully or accurately incorporated into the final permit.  
3 It should be added that until early 1975, the final  
4 permits with their specific terms and conditions were  
5 not forwarded to the communities, hence there was no  
6 way of being sure that the recommendations they made  
7 were actually incorporated into the final version.

8 A final point regarding the  
9 land use regulations, which I do not want to explore in  
10 detail as they will be the subject of a later panel.  
11 The communities in general, and Sachs Harbour in  
12 particular, were never provided with complete informa-  
13 tion regarding land use applications. Neither the  
14 meetings of the Land Use Advisory Committee meetings  
15 (which review the applications prior to forwarding them  
16 to the communities), nor the specific dissenting  
17 objections or recommendations by Wildlife Service,  
18 Fisheries or Game Management representatives on the  
19 committee were forwarded with the applications.

20 Q Dr. Usher, did you mean  
21 the minutes of the meetings as it says in the text?

22 A Sorry. What did I say?

23 Q You said "meetings".

24 A Minutes of the meetings,  
25 yes. My brain is beginning to dull, I guess. Where am I?

26 The trappers were thus never made  
27 aware of the reservations that any government experts  
28 might have, nor were these experts ever made available  
29 to them at meetings where these matters were considered.  
30 Only DIAND representatives went.



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1 I should add at this point  
2 that although the interim reports from the research  
3 undertaken by the Game Management Service were gradually  
4 made available, the final reports were slow in coming  
5 partly, it is understood, because Mr. Urquhart, who  
6 had been assigned to this research, was not given  
7 adequate support to write up his results. His final  
8 report was made available in late 1973.

9 The final report by the  
10 Canadian Wildlife Service written by N. Simmons and T.W.  
11 Barry, went through several drafts, in each successive  
12 draft the authors were asked by their superiors to tone  
13 down their conclusions and recommendations. The first  
14 draft was completed in late 1972. Thereafter the  
15 report was kept confidential by DIAND (to whom it was  
16 submitted) until April 1975. This was in spite of the  
17 fact that it had been commissioned by virtue of an  
18 understanding -- an undertaking to the Bankslanders in the  
19 fall of 1970, and the Bankslanders had made repeated  
20 requests to see this report. The report entitled:

21 "Oil Exploration and the Bankslanders,"  
22 confirmed many of the Bankslanders' original concerns  
23 and was also highly critical of DIAND in its handling  
24 of the original controversy.

25 In the summer of 1972, I  
26 recommended to my department that continuing studies be  
27 made on effort/catch ratios for trapping on Banks  
28 Island. It appeared to me that this would be the only  
29 way of determining whether there was any discernible  
30 impact of seismic activity on trapping success. I had





Ullrich, Noble, Allison, Connors  
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1 by that time compiled a five-year data series on effort  
2 and catch in the course of my previous research on  
3 Banks Island. Special arrangements were made for Mr.  
4 Urquhart to collect these data, and I sent him a detailed  
5 list of instructions for doing so. After receiving these  
6 data I wrote a report entitled:

7 "Preliminary Report on the Apparent Impact  
8 of Seismic Exploration on Arctic Fox Trapping  
9 on Banks Island, N.W.T."

10 I concluded that on the basis  
11 of effort/catch ratios for the first two years of  
12 seismic work as compared with four out of the six years  
13 prior to it, there was no evidence that the harvest  
14 had been adversely affected. I cautioned, however, that  
15 it was too early to be sure what the long-term impact  
16 would be and that effort-catch ratios were in any event  
17 only an indirect measure. I recommended the report be  
18 circulated to interested parties in the north, including  
19 the Sachs Harbour Trappers Association. As I left the  
20 department shortly after submitting this report, I do not  
21 know if this recommendation was followed. No attempt  
22 has been made since to maintain this data series.

23 In January 1974, Panarctic  
24 requested permission to conduct seismic exploration,  
25 drilling, overland transport and related activities  
26 on a year-around basis. I quote excerpts from the  
27 letter (signed by Mr. R.G.S. Currie) to the Sachs  
28 Harbour Settlement Council dated 7th January 1974. The  
29 letter sought to set out an agreement in principle be-  
30 tween Panarctic and the Settlement Council regarding



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1 Panarctic's present and future activities on Banks  
2 Island, as follows:

3 "Panarctic has scheduled exploration activities  
4 to be conducted on a year-around basis on Banks  
5 Island. The exploration activities will include  
6 drilling wells, conducting seismic surveys, and  
7 other related activities.

8 Panarctic in performing its exploration  
9 activities will use its best efforts not  
10 to disturb the natural habitat or the wildlife  
11 on Banks Island. Further, Panarctic will use its  
12 best efforts not to disturb the normal life of  
13 the Eskimos who live on Banks Island."

14 The letter then describes  
15 Panarctic's proposed activities in more detail and  
16 then specifies a number of conditions to which it will  
17 adhere, including:

18 "1. To keep the Sachs Harbour Settlement  
19 Council and the Sachs Harbour Trappers Association  
20 Incorporated fully informed as to all of its  
21 planned exploration activities, by holding  
22 meetings with the Council prior to the commence-  
23 ment of all its exploration activities;

24 2. To obtain prior to the commencement of all  
25 exploration activities, all required licences  
26 and permits from Federal Government of Canada  
27 Departments and Agencies;

28 3. That it will use its best efforts to ensure  
29 ~~that~~ the people living in Sachs Harbour will be  
30 employed by Panarctic or its sub-contractors





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1 to work on the exploration activities carried  
2 out on Banks Island, especially during periods  
3 when employment will not disturb the normal life  
4 of the Eskimos who live in Sachs Harbour."

5 And five other points, all of which amounted to guarante-  
6 eing that they would act according to Canadian law or  
7 maintain the standards of consultation and co-operation  
8 with the trappers that had already been established.

9 In return, the Sachs Harbour Council was asked to agree,  
10 and I quote from the letter again:

11 "That if Panarctic conducts its exploration  
12 activities on Banks Island, Northwest Terri-  
13 tories in the manner outlined above, the  
14 interest of the Council in protecting the  
15 habitat, wildlife and the Eskimos' way of  
16 life on Banks Island will be satisfactorily  
17 protected."

18 Four meetings were held between  
19 the Settlement Council, Panarctic, and DIAND to discuss  
20 the proposal. Panarctic sent its consultant, Mr. Duncan  
21 Pryde, to visit the people of Sachs Harbour twice, on  
22 one occasion for about a week, in advance of the final  
23 meeting in order to encourage them to sign the letter  
24 of agreement. After listening to all the arguments at  
25 this meeting on the 5th of March, 1974, the following  
26 resolution was passed at a regular Settlement Council  
27 meeting the following day:

28 "The people of Banks Island, as represented by  
29 the Sachs Harbour Settlement Council feel that  
30 all oil activities should remain restricted to



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1 the present October 1 to April 30 deadlines."

2 The Council subsequently  
3 issued a press release on the reasons for its decision.

4 I now quote from a memorandum  
5 to the Sachs Harbour Settlement Council dated the 7th  
6 of June, 1974, from Dr. Doug Pimlott, who was a resource  
7 worker for COPE at that time. This is the memorandum or  
8 part of it:

9 "However, Panarctic did not give up the idea  
10 of summer operation. Instead, it immediately  
11 began to figure out ways that it could get  
12 approval for work during the summer of 1975  
13 and 1976.

14 The first thing Panarctic did was to get a  
15 consulting company (Beak Consultants Ltd. of  
16 Calgary) to plan a research program which would  
17 be conducted this summer. The idea was to get  
18 information which would show that summer opera-  
19 tions would not harm either the animals or the  
20 plants. If a report proved this, then Panarctic  
21 would come back to Sachs again this fall and  
22 again ask for approval. If Sachs did not give  
23 approval, then Panarctic would apply directly  
24 to DIAND for approval.

25 The first report by Beaks was completed on the  
26 15th of March, and a proposal for a research  
27 program was sent to Mr. Bill Armstrong on March  
28 25th. Panarctic suggested that research would  
29 be conducted from April 1974 to October 1975.

30 A preliminary report would be submitted this fall



Ugher, Noble, Allison, Commissioner  
In Chief

1 as part of the request for approval to drill  
2 during both the winter and the summer of 1975."

3 THE COMMISSIONER: Excuse me,  
4 when Dr. Pimlott says "this fall," he means the fall of  
5 1974, would that be it?

6 A Sorry, "this fall", yes,  
7 the fall of 1974, yes.

8 Panarctic told Mr. Armstrong  
9 that it was sure that the drilling and other  
10 work can be done so that it does not hurt either  
11 the animals or the land.

12 At this time it was pointed out to Beak Consul-  
13 tants that they had not made any reference to  
14 Doug Urquhart's work in their report. Beak  
15 then quickly wrote another report and submitted  
16 another proposal for research which took Doug  
17 Urquhart's work into consideration.

18 I am not certain of what happened then; however  
19 I believe that some of the government biologists  
20 did not like the ideas for research because  
21 studies were only going to be made of birds  
22 and foxes. They felt that studies should be  
23 done on caribou and muskoxen as well. They  
24 also felt that the plan for the research was  
25 not very good. I also learned that there is  
26 to be a meeting on June 13th between the  
27 Wildlife Service, DIAND and Panarctic to try  
28 to reach a final agreement about the research  
29 program.

30 I heard that there has been some disagreement





~~Usher~~, Noble, Allison, Cournoyea  
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1 between DIAND and the Territorial Government  
2 about whether Sachs should be told about the  
3 ideas for a research program. Apparently the  
4 Territorial Government wants Sachs to be  
5 informed but DIAND does not.

6 To sum up, I think it is really too late  
7 to start a research program this year. The  
8 foxes will have had their first litters, the  
9 geese will have hatched their eggs, and the  
10 caribou and muskoxen will have had their  
11 calves long before any biologists could be on  
12 Banks to begin studies.

13 Studies made over a full spring-summer season  
14 are too short to produce good results. One that  
15 missed the important time when the young are  
16 being born would be almost worthless.

17 Since I was in Sachs for the last meeting with  
18 Panarctic, I have asked a lot of government  
19 people questions about Panarctic. I learned that  
20 it has a reputation for careless land use and for  
21 inadequate research on the effect of its operations  
22 and on the animals -- on the effect of its opera-  
23 tions on the animals and on the land. It was  
24 not a very comforting thing to hear.

25 All of the people I talked to agreed that if  
26 Panarctic eventually gets approval for summer  
27 operations, all the companies will have to be  
28 given the same privilege."

29 That's the end of Doug Pimlott's memo.  
30



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1 By the fall, Panarctic had  
2 worked out a tentative arrangement with DIAND to conduct  
3 a four year environmental research program which would  
4 involve summer drilling in the third year. A meeting  
5 was held to discuss this proposal at Sachs Harbor on  
6 the 25th of September, 1974. Several Panarctic  
7 officials and their consultants and several DIAND officials  
8 from Yellowknife and Ottawa attended the meeting and  
9 put forward the proposal. The Council declined to make  
10 a decision at the time and invited these officials to  
11 come back about two weeks later.

12 At the subsequent meeting, held  
13 in early October, 1974, the council again refused the  
14 request and issued the following statement:

15 "I'm sure you remember last year when we said, no,  
16 to your proposal for a summer drilling program.  
17 Now you come again to ask us. We understand it's  
18 for research purposes. We understand that the  
19 study is to discover the normal behavior patterns  
20 of the island.

21 We know, and you know, that you haven't informa-  
22 tion now, nor will by this summer. We know and you  
23 know that land use and the Game Department won't  
24 accept it as enough. We haven't yet received your  
25 past reports of the study.

26 We haven't been consulted or involved in the  
27 study and would like more participation. Do your  
28 experts know so much that they can't consult us?  
29 We would like to cooperate, but we will not agree  
30 to a summer drilling operation until we are satisfied



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1 that the appropriate departments are satisfied.

2 Until that time, we say, "no" to any summer program.

3 We also do not want to be bothered about this  
4 for at least two years as we feel convinced that  
5 it will take that long to complete a worthwhile  
6 study.

7 We are taking into consideration the problems  
8 you will have as you did this summer with weather  
9 and the logistics."

10 Now, as a result of that,  
11 neither the proposed summer drilling program nor the  
12 research proceeded and there have been no subsequent  
13 land use problems on Banks Island for the reason that  
14 I believe, as I understand it, very few land use permit  
15 applications were filed for work on the island last  
16 year and there were none that the islanders objected to.

17 MR. BAYLY: Could we then  
18 go to your presentation, Lorraine, called "Experimental  
19 Dumping of Oil in the Beaufort Sea"?

20 THE COMMISSIONER: Excuse  
21 me, just before you go on. Dr. Usher, you said that  
22 that statement by the band, or by the settlement council  
23 was October '75, and you said that the summer seismic  
24 program proposed --

25 A Excuse me, it's October  
26 '74, wasn't it? If I said October '75, I meant October  
27 '74.

28 Q Yes, well if you look at  
29 page 36, you said:

30 "At the subsequent meeting held in early October





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1 '75."

2 A In my own copy, I crossed  
3 that out and <sup>put</sup> '74, because it should be '74.

4 Q O.K. well then, at the  
5 end it wasn't written down, but you added; you said:

6 "Neither the summer --"

7 I think you meant the seismic program that was supposed  
8 to go ahead in the third summer under Panarctic's  
9 proposal? Maybe you could explain this to me.

10 A O.K. I don't have the  
11 actual document with me, but my understanding of that  
12 proposal was that it was a four year research program  
13 which would have involved in the third and fourth summers  
14 actual drilling in the summer on Banks Island. Now,  
15 in other words, that the company suggested, "look, we'll  
16 do this background research before we drill and then  
17 see the impact of the drilling by actually doing the  
18 drilling", and, having got an adverse reaction on that  
19 from the people at Sachs, neither the drilling program  
20 nor the research program went ahead. Summer drilling  
21 program. Their normal winter operations they've  
22 applied for is a matter of course, but the summer work --

23 Q Well, the drilling program  
24 was to be in the third summer. Just so I have the  
25 thing right, the four year program is not then yet  
26 commenced?

27 A That would be a way of  
28 putting it, yes. In effect, they've withdrawn that --  
29 any application to do that program.

30 THE COMMISSIONER: O.K. Sorry



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1 Miss Allison.

2 WITNESS ALLISON: In February  
3 of 1975, while COPE field workers were visiting in  
4 Tuktoyaktuk, a rumor of deliberate dumping of oil in  
5 the Beaufort Sea surfaced. According to the rumor,  
6 50,000 gallons of oil were to be spilled. The purpose  
7 of deliberate offshore spills of oil in the Beaufort  
8 Sea was unclear, but it was a matter of concern to some  
9 Tuk residents.

10 They asked the COPE field  
11 workers to relay their concerns to Inuvik and to find  
12 out what they could about this spill.

13 Reasoning that this might be  
14 a part of the widely publicized Beaufort Sea project,  
15 I wrote to Allen Milne asking about the experiment. His  
16 reply stated that in this experiment about 1200 gallons --  
17 that's not 50,000 -- of oil would be dumped. The  
18 purpose of the spill, stated in an outline appended  
19 to his letter, was to assess whether oil released at  
20 the bottom of the ocean in a blowout might emulsify  
21 in the water column.

22 A second objective was to  
23 determine how such oil spread under and became trapped  
24 within the ice. Other experiments were proceeding at  
25 protected Balaena Bay on Cape Parry in still water and  
26 the experimenters wished to test the effects of a  
27 current on the behaviour of oil. According to the  
28 outline which came with Mr. Milne's letter, a current  
29 of 0.5 meters/second was required for the experiment.  
30 Mr. Milne offered to meet with COPE during a planned



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1 trip to Inuvik, but unfortunately, the letter arrived  
2 after he had left town.

3 Mr. Sam Raddi, president of  
4 COPE, expressed his concern over the lack of consultation  
5 about the project and asked me to probe the matter  
6 further. The next steps were to determine what processes  
7 the project had gone through to get permission for the  
8 spill and to ascertain whether COPE or the communities  
9 had previously been informed of the spill which was  
10 scheduled for early April.

11 During my investigation, I  
12 learned that the Arctic Waters Oil and Gas Advisory  
13 Committee had required the offshore experiment to be  
14 carried out under a separate permit from the Balaena  
15 Bay ones. That is, two separate sets of spills were  
16 occurring. Paulatuk had known of and approved the  
17 spills in Balaena Bay. The offshore spills which were  
18 to be done 20 miles off Cape Parry, were a matter of  
19 contention.

20 When contacted by COPE, the  
21 hamlet secretary of Tuktoyaktuk and Garret Ruben, COPE  
22 director from Paulatuk, both stated that they had not  
23 heard of plans for a deliberate offshore spill and  
24 both expressed a desire to know more about it and concern  
25 about the ultimate fate of the oil. Mr. John Hunt,  
26 fisheries officer in Inuvik, told me he had attended  
27 a meeting at which a resident of Paulatuk was present  
28 in which the offshore spill had been alluded to. He  
29 stated that the matter was not specifically raised  
30 and discussed. He felt that the offshore aspect of the





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1 spills could easily have been missed or misunderstood.

2 Later, D.O.E. said the people  
3 of Paulatuk had been informed of the offshore work.  
4 No doubt, D.O.E. representatives felt they had explained  
5 the project, but it was evident that their explanation  
6 was not clear to the people in Paulatuk. Not attempt  
7 had been made to inform Tuktoyaktuk or any of the  
8 Beaufort coast communities.

9 Mr. Thomas of DIAND in Yellow-  
10 knife responded to a query from COPE by sending an  
11 outline of the experiment-- an experiment which appeared  
12 to me to differ substantially from the one outlined  
13 in Mr. Milne's letter. Mr. Ernie Pallister was opera-  
14 ting the Beaufort Sea Environmental Program, the  
15 Arctic Petroleum Operator's Association's public  
16 relations vehicle.

17 He had not heard of any offshore  
18 spill when I contacted him but delayed publication of  
19 the April Beaufort Seer so that an article could be  
20 included. The article appeared after the spill was  
21 done. COPE executive in Inuvik concluded that the  
22 communities could not have been expected to be aware of  
23 D.O.E. plans for a deliberate offshore spill. They  
24 were also concerned because the various responses COPE  
25 received to its requests for information sounded like  
26 different experiments and apparently, the oil would only  
27 be cleaned up if it was discovered in a lead.

28 I had also learned that some  
29 members of the Arctic Waters Oil and Gas Advisory  
30 Committee opposed the experiment and were not convinced



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1 of its scientific merit. A special permit had had to  
2 be issued by the Minister of D.O.E. to allow D.O.E. to  
3 avoid prosecution under the Arctic Waters Pollution  
4 Prevention Act.

5                                   Although I was clearly not  
6 qualified to judge the scientific merit of such a  
7 proposal in detail, the yardstick of science is similar  
8 in all its disciplines. Because of the apparent  
9 confusion among proponents of the experiment, our  
10 position from members of the Arctic Waters Oil and Gas  
11 Advisory Committee and the concerns of the residents  
12 of Tuktoyaktuk, Paulatuk, Sachs Harbor and Holman  
13 Island, it appeared that a reassessment of the scheme  
14 could only benefit all parties. I advised the COPE  
15 executive that an independent assessment of the  
16 proposal by an expert in that field might help us to  
17 determine the merit of the oil dumping experiment.

18                                   COPE decided to finance such  
19 an independent assessment if necessary, and in the  
20 meantime, to attempt to postpone or stop the spills.  
21  
22  
23  
24  
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30



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1                                   On March 25th, COPE sent a  
2   telex to Madame Sauve, then Minister of D.O.E., pointing  
3   out their concerns and suggesting that the period between  
4   November (which was the date of the outline accompanying  
5   Mr. Milne's letter) and March would have been adequate  
6   to allow an independent assessment to be done. The  
7   telex also suggested that the companies involved might  
8   welcome an opportunity to demonstrate their ability to  
9   clean up a spill under the ice, and that even such a  
10   small spill should not be left. COPE requested that the  
11   Minister stop the experiment. There was no reply to  
12   that telex, and a followup telegram on April 1st  
13   elicited a response on April 4th. The telex from  
14   Deputy Minister Seaborne explained the rationale for the  
15   experiment but still did not answer any of COPE's con-  
16   cerns. It did state that because April was a time of  
17   "low environmental sensitivity" the project could not  
18   be postponed.

19                                   In the meantime, COPE had learn-  
20   ed that the oil would be released about 20 miles off-  
21   shore of Cape Parry, in a current of about 10 centimeters  
22   per second (the outline of November said a 50 centi-  
23   meter per second current was required). A third telegram  
24   was sent from COPE on April 5th. On April 5th and  
25   6th COPE held a Board of Directors meeting in Inuvik.  
26   Members of the Board felt that their concerns regarding  
27   lack of consultation and lack of cleanup had not been  
28   adequately met. They issued a press release April 7th  
29   which recognized the need for scientific research. In  
30   fact COPE has in the past repeatedly requested that





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1 certain research be done. The press release further  
2 reaffirmed the Board's unanswered concerns.

3 Mr. Raddi and I met with Mr.  
4 Milne on the evening of April 8th, the same day as the  
5 experiment was conducted. He described the experiment  
6 again and invited Mr. Raddi to send someone out to the  
7 site with a large party which was going the next day.  
8 I was selected to go.

9 Again I must state that I have  
10 a/limited experience with such experiments but the spill  
11 which was conducted did not seem to me to be the same  
12 as any of the dumping experiments which had been des-  
13 cribed to us earlier. Oil was released just under the  
14 ice, not at the bottom. The spills were reduced from  
15 1,200 to 360 gallons. The current was quite slow.  
16 Emulsification of oil in water no longer appeared to be  
17 a factor being tested. It seemed to me that the major  
18 conclusions one might draw from the experiment were the  
19 following:

- 20 1. Oil moves downstream in a current;
- 21 2. If the bottom of the ice is smooth, it will form  
22 a slick, the thickness of which may depend in part on  
23 the strength of the current;
- 24 3. If the ice bottom is not smooth, oil will pool  
25 in any indentations;
- 26 4. If the ice is growing, oil will become incorpora-  
27 ted in the ice. (This is an inference from the experi-  
28 ment rather than a conclusion since observations of the  
29 oil ended within hours of it being spilled and prior  
30 to its incorporation within the ice.)



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1 It also seemed to me that most  
2 of these conclusions were intuitively obvious and  
3 that they probably did not require ocean testing. I  
4 must emphasize that the above conclusions were mine. I  
5 conveyed them to the COPE executive by memorandum and  
6 verbally.

7 Although personnel of the  
8 Beaufort Sea project have been most co-operative about  
9 releasing draft reports -- pardon me, draft copies of  
10 their reports, the report including the offshore oil  
11 spill has not yet reached us, so we are still unaware  
12 of what their conclusions were.

13 After the experiment had been  
14 completed, my final memorandum to COPE was circulated  
15 quite widely without my knowledge. So documents of  
16 ours sometimes leak too. I later learned that, upon  
17 reflection, a number of D.O.E.' and DIAND personnel  
18 agreed with my reservations about experimental dumping  
19 of oil.

20 In the spring, D.O.E.'s contrac-  
21 tor was able to locate the spill and burn off about half  
22 the oil. They were unable to prevent at least two  
23 eider ducks from being attracted to the shiny surface  
24 and being fouled with oil.

25 In November of 1975, COPE  
26 learned that the Environmental Protection Service proposed  
27 to conduct a further series of three or four deliberate  
28 oil spills beyond the landfast ice in the Beaufort Sea.  
29 Evidently E.P.S. recognized a responsibility to inform  
30 the communities of this, and radio messages were broadcast



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1 and letters were sent out.

2 E.P.S. arranged a meeting with  
3 COPE in Inuvik, November 20th. Mr. Raddi happened to  
4 be in Yellowknife November 30th -- 13th, and E.P.S.  
5 asked to meet with him. Mr. Raddi asked me to attend  
6 also.

7 Neither Mr. Raddi nor I knew the  
8 details of this new proposal to spill oil, but it was  
9 evident that the experiment had been planned with a  
10 minimum lead time; and apparently climatic conditions  
11 only allowed the experiment during a brief period in the  
12 fall. In the absence of detailed information, Mr. Raddi  
13 could only re-express COPE's same concerns about such  
14 sensitive experiments being reviewed by independent  
15 experts and time being required for meaningful consulta-  
16 tion with the communities.

17 The day after the Yellowknife  
18 meeting we learned that the experiments had been  
19 deferred. The original intention had been to conduct  
20 the spills prior to the discussions with COPE in Inuvik.  
21 The spill would not be done, I was told, until after the  
22 Inuvik meeting.

23 In the intervening week, COPE's  
24 Board of Directors prepared a position paper on field  
25 research. COPE recognized the need for research, but  
26 reiterated its requirement for consultation early in the  
27 decision-making process for two reasons:

- 28 1. To realistically represent the concerns of the people  
29 in the communities, and
- 30 2. To contract independent evaluations of the proposed  
studies so the Board could better understand the





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1 necessity, feasibility and impact of the research.

2 Bob DeLury, (CARC biologist  
3 working with COPE), and John Bayly, informed the  
4 COPE executive of the Ocean Dumping Act passed by  
5 Parliament in May of 1975. According to the Act the  
6 proposed experiments appeared to be illegal.

7 An outline of the experiment  
8 was released to COPE and interested government agencies.  
9 It seemed obvious to Mr. DeLury, government scientists  
10 I talked to, and myself, that the outline proposed was a  
11 hastily contrived and inadequately researched piece of  
12 work. It appeared, for instance, that the experiment  
13 would precede a review of the pertinent literature.  
14 Also attempts would be made to track spilled oil when  
15 it was unknown how to track ice. Opposition to the  
16 experiment grew within other government agencies, I was  
17 told, and was expressed through internal channels.

18 The E.P.S. sent a telex to  
19 COPE outlining the terms of reference for the November  
20 20th meeting. It stated in part that,

21 "If E.P.S. is convinced on strictly technical  
22 and logical grounds at this meeting why this  
23 study should not proceed as proposed, E.P.S.  
24 is prepared to modify the experiment or for  
25 that matter to cancel it."

26 At the meeting in Inuvik COPE  
27 was represented by its president, eight members of the  
28 Board, and interested residents of Paulatuk and Tuktoyak-  
29 tuk, with scientific advice from Mr. DeLury. COPE  
30 learned that the Ocean Dumping Act would not be



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1 proclaimed for three weeks, but E.P.S. said they were  
2 nevertheless cleared to operate under that law. COPE  
3 passed a series of motions at that meeting that I'd  
4 like to read. COPE would prefer that no oil be dumped  
5 in the ocean at this time. If the experiment must  
6 continue, ask for time for an independent evaluation  
7 of the test program and an inspection of the test site  
8 by the people from North Star, Tuk or Paulatuk. A  
9 request that the snow be cleaned up by spring. Request  
10 that E.P.S. look into using oil substitutes. If E.P.S.  
11 does not agree to these conditions, to stop or delay  
12 the experiment, then COPE should get a Court injunction  
13 to attempt to stop it.

14 After a scientific evaluation  
15 COPE would ask for a meeting of the Board of Directors  
16 and government representatives to decide on a course of  
17 action.

18 This meeting resulted in a two  
19 or three-week delay for COPE to have an assessment of  
20 the proposal done. The whole oil-dumping part of the  
21 experiment was later dropped for undisclosed reasons.  
22 In a letter to Mr. Raddi, Mr. Bryant, district manager  
23 of E.P.S., stated that most of the project had been  
24 deferred for at least a year, but that E.P.S. might  
25 wish to conduct one part of the experiment in April 1976.  
26 As far as I know, there has been nothing heard at COPE  
27 about such a proposal for dumping it this month.

28 Mr. Bryant encouraged COPE  
29 to proceed with its evaluation of the spill and he  
30 requested that evaluation by mid-February. COPE had



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1 contacted 10 to 12 Canadian and American scientists and  
2 asked them to evaluate the E.P.S. proposal. They were  
3 supplied with all the material available to COPE and were  
4 asked two questions:

5 1. How important are the detailed questions which  
6 E.P.S. proposes to investigate ?

7 2. Will the objectives of the study be achieved by  
8 the methods outlined?

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1 To answer the first  
2 question, the scientists required information which was  
3 not and still is not publicly available. That is as  
4 far as I know. E.P.S. declined to provide it after the  
5 experiment was postponed. The answer to the second  
6 question was that the experiment had been inadequately  
7 planned.

8 The November-December  
9 issue of INUVIALUIT, which is COPE's magazine, contained  
10 an article on the E.P.S. oil spill. The article  
11 concluded and I quote from this:

12 "COPE realizes that the gas and oil exploration  
13 in the Western Arctic means many research  
14 studies have to be done on the land and in  
15 the waters. Although COPE agrees that studies  
16 have to be done, we also know that unless  
17 they are done safely the land, the water,  
18 and the animals on which native people depend  
19 may be in danger.

20 The studies must respect the whole environment,  
21 not just the thing they want to study.

22 These are all things COPE and the people have  
23 asked the gas and oil companies to do and  
24 we expect the same of groups doing scientific  
25 research.

26 When studies might endanger some part of the  
27 environment, COPE wishes to be asked early  
28 by government or industry. COPE needs this  
29 time to give information to the people and  
30 to get their comments. COPE also needs the



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1 time to ask other independent scientists if  
2 the studies about to be done are reasonable  
3 and safe."

4 MR. BAYLY: Mr. Commissioner,  
5 that ends the evidence of Lorraine Allison and I note  
6 that it is half past twelve and I propose this would be  
7 an appropriate time to adjourn.

8 MR. GOUDGE: Sir, if we break  
9 for lunch now, might we come back sharp at two and if  
10 we work until four, get as a reward, termination of the  
11 day at 4:00. Perhaps if we could --

12 MR. BAYLY: Plus the right  
13 to watch television for half an hour.

14 MR. GOUDGE: Yes.

15 THE COMMISSIONER: All right,  
16 2:00.

17 (PROCEEDINGS ADJOURNED TILL 2:00 P.M.)  
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(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. CARTER: Sir, before we continue on with Mr. Bayly's evidence, I'd like to file a copy of a letter written from Mr. Jakimchuk to Mr. Marshall. It refers to the report that Dr. Geist did for Commission Counsel. That report was filed. Dr. Geist did not give evidence with respect to it, but in the report, he makes a number of references and criticisms of Mr. Jakimchuk's report.

Mr. Jakimchuk has responded to some of those in letter from and I propose to just file that letter.

THE COMMISSIONER: Yes, I think that should be marked as an exhibit. Dr. Geist's report has already been marked and I take it that it wasn't sought to have him produced for cross-examination and I think that Mr. Jakimchuk's response should be filed on the same footing, marked as an exhibit and that has the great advantage, if no one wants to cross-examine Mr. Jakimchuk, of permitting us to proceed without bringing them both back.

(LETTER DATED APRIL 6, 1976 FROM R. D. JAKIMCHUK  
TO J. J. MARSHALL RE: Dr. V. GEIST REPORT MARKED  
EXHIBIT # 555)

THE COMMISSIONER: Yes, well we're -- Usher --

MR. BAYLY: Yes, I think we're going back to Peter Usher and the evidence that's entitled "Producers Proposal and MDDGAG." I wonder if you could begin with that presentation please, Dr.





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Usher?

WITNESS USHER: All right. Is this thing on? I don't know the timing and the various stages of planning leading up to a formal proposal for production facilities in the Mackenzie Delta but it seems reasonable to suppose that specific designs were undertaken only after the delineation of the producing fields and to coincide in reasonable time with the application for a pipeline.

It does appear, however, that there was a considerable gap in time between the advance planning of those facilities and the communication of the nature of these plans to the public. I was told by D.O.E. officials in September, 1974 that they were aware of the nature of the proposal as it had been communicated to them for review. One may assume that the Department of Indian Affairs and Northern Development was made aware of these plans at least as early as D.O.E. In fact, DIAND had begun some assessment of the proposal, if not actual cooperation with industry in the spring and summer of 1974, since they had commissioned preliminary consulting reports on engineering, environmental and social considerations regarding the gas processing facilities.

These reports were received in the fall of 1974 but were kept confidential. It is definitely the case that in September of 1974, when COPE began assembling its community information program under funding from this Inquiry to assist local people in assessing the pipeline and related facilities, that



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in the delta  
nothing was known officially about these plans. No one  
knew for sure what the gathering and feeder lines would  
look like, whether they would run above or below ground,  
how they would be spaced, what the gas plants would  
look like and so on.

This remained the case for  
several months.

Gulf, Shell and Imperial  
submitted a proposal for constructing gas gathering  
and processing facilities to the Minister of Indian  
Affairs on the 6th of November, 1974, along with  
environmental and socio-economic impact assessments  
of these, and requested approval in principle. These  
documents remained confidential in the hands of the  
department for over two months, despite the fact that  
COPE had requested such information for distribution  
to the communities during those two months.

We were told privately by a  
DIAND official that the industry had proposed to go to  
the communities with this information directly, but  
that the department had asked them to wait until after  
Christmas when it would participate jointly with  
industry in an information tour.

The government's role at that  
time would be to explain the manner in which the  
producer's proposal would be received and assessed.  
On January 10th, 1975, the Minister announced both the  
receipt of the gas producer's proposal and the govern-  
ment's response.

I quote the following excerpts



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from the press release of that date:

"Residents of Mackenzie Delta communities are being asked to help evaluate the first industrial development in the delta as a result of Arctic Gas discoveries. Later this month, communities near the project will be provided with all materials submitted to date by industry.

A joint Federal/Territorial study group will now begin to identify additional information required and start to discuss in general terms with the communities what the project will mean to the delta. At present, it appears the major planning and program development will be in terms of infrastructure requirements, regional planning, town planning, training and identification of entrepreneurial opportunities for northerners."





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"I will be seeking the advice of the Department of Environment with respect to the information required for our environmental assessment of the project ... D.O.E. scientists will also be directly involved in the assessment and my officials will participate in the formal review procedures of the Environmental Review Panel. This panel will provide advice on the final environmental terms and conditions which I will impose if this project is approved.

The application and supporting information will also be made available to the Berger Inquiry for their purposes. I expect that Justice Berger will want to look at the general effects of the gas plants and gathering system as part of regional social, economic and environmental impact of the proposed natural gas pipeline. It is not my intention, however, to refer this application to the Inquiry for specific advice...

The development of the natural gas resources of the Mackenzie Delta, if done in a rational and careful manner, will provide an energy source and important economic opportunities to the people of the delta. The challenge of this development is to proceed carefully so as to protect the physical environment and to enhance the social, cultural and economic environment as well."



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1                   One might infer from this press  
2 release that these developments were proposed entirely  
3 for the benefit of delta residents, since it gives no  
4 indication that any of the gas is destined for southern  
5 markets. I call particular attention to the process the  
6 Minister outlined for assessment and consultation.

7                   Now on the 12th of July, 1974,  
8 Mr. Commissioner, you ruled that the producers' pro-  
9 posals would have to form an integral part of this  
10 Inquiry, saying:

11               "I regard it as essential to this Inquiry  
12 that I should consider evidence regarding  
13 the gas fields in the delta and the gathering  
14 lines to be built in the delta....these lines  
15 are so obviously a part of the pipeline system  
16 that any consideration of the impact of the  
17 trunk line entails a consideration of the  
18 impact of the gathering lines."

19 The Inquiry would,

20               "obtain evidence, pursuant to subpoena if  
21 necessary, to enable this Inquiry to consider  
22 the location and extent of the gas fields in  
23 the delta, the likely extent of further gas  
24 exploration in the delta, and the Beaufort  
25 Sea, the likely location, design, and constru-  
26 ction of the gathering lines, and the processing  
27 plants that will be needed to render the gas acc-  
28 eptable to the trunk pipeline, and the social,  
29 environm ental and economic impact that the  
30 development of the gas fields and the construction



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1 of these lines will have in the delta and  
2 elsewhere in the north."

3 Nevertheless, the Minister  
4 chose to set up a largely independent system of assess-  
5 ment. Now it could be argued that the proposed internal  
6 government assessment group was no different than the  
7 Pipeline Application Assessment Group the government  
8 had set up the year before in response to the Arctic  
9 Gas application. But that group was created for the  
10 express purpose of assisting the Inquiry and indeed it  
11 was transferred as a unit to the Inquiry after its  
12 initial assessment had been completed. The fate of  
13 the proposed gas plant assessment group was entirely  
14 different, as we shall see. Further, the Minister expli-  
15 citly stated that while he would not withhold evidence  
16 from the Berger Inquiry, he did not intend to seek its  
17 advice on the matter. One might also note the distinctly  
18 secondary role the Department of the Environment had  
19 been invited to play in the environment impact assessment  
20 of this project.

21 The immediate response of the  
22 native groups was one of concern that the government  
23 was circumventing the Inquiry. COPE specifically reques-  
24 ted that the government abide by <sup>Justice</sup> Berger's rulings.

25 The following week, the industry  
26 -government team came to Inuvik to unveil the proposals  
27 for gas field development. Representatives of COPE  
28 attended two meetings in Inuvik on the 16th of January,  
29 1975. One exclusively with the industry-government  
30 team and the other a general presentation by that team





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1 to an open meeting of townspeople. Industry was  
2 represented by Arctic operations managers and assistants;  
3 the Department of Indian Affairs by the Director of the  
4 Northern Natural Resources & Environment Branch and  
5 assistants.

6 The industry group brought  
7 scale models of a gas plant and a well cluster, and  
8 gave a brief talk on the proposed system, illustrated  
9 with colored slides, some showing diagrams and charts,  
10 others showing gas field facilities in other parts of  
11 the world. It also distributed copies of a small brochure  
12 entitled,

13 "Mackenzie Delta Gas Development Systems,"  
14 containing brief descriptions and diagrams of the produc-  
15 tion, gathering and processing stages as well as sections  
16 entitled,

17 "Safeguarding the Environment,"  
18 and "Providing New Opportunities."

19 The industry's proposal called  
20 for two gas plants, fed by five well clusters through  
21 a total of 18 miles of feeder lines. It was this  
22 specific proposal which was being communicated to delta  
23 people and this specific proposal they were being invited  
24 to assess. We have recently heard before this Inquiry that  
25 this proposal was not exactly complete. For example,  
26 since then Shell has proposed to build a third gas plant,  
27 and will produce its gas at Niglintgak through a system  
28 of nine or ten individually drilled wells and connecting  
29 feeder lines. Mr. Csaja in his evidence of the 27th of  
30 January, 1976, stated that Shell had no intention of



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1   hiding anything from the public in this regard. I am  
2   not doubting his word, but it is my clear recollection  
3   that in response to questions about the possibility of  
4   a typical Alberta field development scenario with many  
5   wells and feeder lines being replicated in the delta,  
6   we were assured that this would not happen, largely due  
7   to the cluster well system. We were definitely not  
8   advised that in some instances -- and I assume industry  
9   is still not prepared to predict in what proportions --  
10   this system would not be possible.



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Now I think the evidence before this Commission makes it clear that the full development of gas from the Mackenzie Delta basin will, in future years almost certainly involve a considerably greater network of facilities than this. When asked what the future density and extent of clusters, feeder lines and gas plants might be, company officials offered some rough figures of the theoretical area which could be tapped by clusters and gas plants but decline to offer any future scenario for development in the delta.

Now, we recognize that it is not possible for industry to predict exactly where gas will be found <sup>and</sup> in what quantities and COPE did not ask for such a specific scenario. But only a restricted component of development was put forward. Since then, industry has announced additions and modifications to their original proposal, but the larger question of what development will ultimately involve, has never been revealed.

Thus, both from a social and an environmental point of view, what the government proposed to assess is only one small part of gas field development. If in future years, additions are proposed to the network already in place, we suspect they will be assessed on an individual basis as though nothing preceded that particular application and nothing followed.

It is entirely possible on the basis of present performance, that no allowance will be made for the probable cumulative and reinforcing effects of all these developments. By the time real





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1 hazards become evident, it will be too late to stop,  
2 let alone reverse these effects.

3 The government team outlined  
4 the proposed assessment procedure in further detail  
5 at these meetings as well as in another with COPE the  
6 following day. It maintained the department was not  
7 trying to circumvent the Berger Inquiry, but since they  
8 expected only the most general recommendations from  
9 Justice Berger, they would be working on the specific  
10 recommendations.

11 We have heard this distinction  
12 between general and specific recommendations made only  
13 by Indian Affairs officials and by no other parties.  
14 A similar philosophy was expressed by the Minister  
15 of Indian Affairs in his reply to COPE dated the 27th  
16 of February, 1975.

17 The government had formed within  
18 Indian Affairs, a Mackenzie Delta Development Committee  
19 to review the engineering design and the environmental  
20 and socio-economic impacts of the proposal. Consideration  
21 of the socio-economic implications was assigned to the  
22 Territorial Government in Yellowknife which formed a  
23 subgroup of the Development Committee which came to be  
24 known as the Mackenzie Delta Gas Assessment Group, known  
25 for short as MDDGAG. The Territorial Government was,  
26 according to internal sources, told, not asked, to under-  
27 take this work, although it would be under the direction  
28 of the Federal Government. A complete review of MDDGAG's  
29 operations during the last ten months -- more than  
30 ten months now, I wrote this a couple of months ago.



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would not -- is not possible here.

We would, however, like to call attention particularly to its terms of reference and to its plans for consultation with people in the communities and its subsequent transformation into an instrument for regional planning. The terms of reference, according to a <sup>draft</sup> dated the 30th of January, 1975, called for a final report:

"containing an assessment of the proponent's proposal and recommendations, if any, as to additional research required or the method in which this development should proceed in order to maximize the beneficial effects and minimize the detrimental effects of the development."

Subsequent drafts of that are similarly worded.

MDDGAG was to assess only the impact of the gas facilities and was not to refer to the pipeline or any other related developments. At the same time, they were to develop mechanisms for informing the communities about the nature of the proposal and its effects and for obtaining the peoples' views and response. COPE's reaction to these terms of reference was one of suspicion. In the first place, plans for consultation with the communities seemed to be a duplication of what COPE had already been funded to do. COPE already had a community information program and had tried to get solid information on gas field development for it.

Justice Berger had ruled that



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evidence would be called on these matters in the formal hearings and that the people could express their concerns about them in the community hearings, yet the government was now planning to set up a separate information and consulting program on the gas fields.

COPE considered that aside from the wasteful duplication of funds and effort, this could only create more confusion in the communities about who was consulting whom, about what and why. COPE expressed its willingness to distribute comprehensive, accurate and unbiased information about gas field development as part of its work in the communities, but not the usual industry or government information package.

COPE also insisted that MDDGAG should hold no meetings in the communities until this information had conducted its community hearings in the delta-- until this commission had conducted its community hearings in the delta. I must have said something else. -- and that MDDGAG should accept the views expressed at these hearings as the people's response to the producers proposals.

Second, we considered the terms of reference far too limited. It did not make sense to consider the socio-economic impact of the gas plant separately from other developments. Even one of the industry representatives admitted this at the Inuvik meetings. If the Minister's press release was any guide, assessment would be limited to the impact on jobs, public services and facilities and business development, totally ignoring the larger questions of political





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and economic control, community and family integrity, cultural development and so on, although, during the early stages of MDDGAG, some of its staff thought these larger questions ought to be considered.

Yet, in these larger respects, the gas field development would have no distinguishable impact from all the other developments, and there would be nothing for MDDGAG to study which was not already known to social scientists and informed citizens in a general way, or which would not come out at the Berger Inquiry.

Finally, there was the all-important question of whether the assessment would affect the nature of the development itself in any significant way, or just the government programs designed to deal with the problems created by development. The terms of reference strongly suggested the latter.

Several MDDGAG employees at less senior levels shared these concerns and questioned the legitimacy of both the assessment and the consultation they were asked to undertake. Subsequent correspondence demonstrated that COPE's suspicions of the MDDGAG operation were indeed well founded. As one internal memorandum dated the 27th of February, 1975 stated:

"The question is a simple fundamental. Is it the political policy of the Federal and Territorial Governments to implement economic development activities which have fundamental and irreversible social and political consequences before the people of the country affected have the necessary institutions



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self-government, such as are enjoyed by the  
people of the southern provinces of Canada. If  
the answer to this question is yes, then we cannot  
be sincerely carrying out our program of self-  
government for local communities, nor the Territorial  
Government, its program of self-government for the  
people of the Territorial Community."



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At higher levels there was apparently an atmosphere of resignation and obedience. In a responding memorandum dated the 28th of February, the Director of Local Government started with a prayer, and I quote:

"God give me the courage to change what should be changed, the serenity to accept what cannot be changed, and the wisdom to know the difference. Some things are beyond our control; energy development will take place to meet national demands in its conditions, methods, and time. It may be adjusted to meet Territorial considerations, but only if we fight for them. The present working group is as good a battle ground as any; if we do not fight for our beliefs, then the working group report will fail to reflect a number of important community realities. No one can predict how important this report is going to be, but from the effort going into it, it is evident that the executive believe it to be important to our interest. This is the sort of decision that is theirs and we must accept their political judgment."

Several members of the research staff found the restricted terms of reference particularly difficult to work with. Mr. Yates, in evidence given on the 12th of February, 1976, has stated that -- and I quote:

"It was recognized quite early in these reviews that it was insufficient to examine





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1 the socio-economic impact of the proposals in  
2 isolation from trunk line, exploration and other  
3 anticipated developments if a trunk line is  
4 approved. Accordingly it was decided that the  
5 socio-economic assessment, which was assumed as  
6 a responsibility by the Government of the North-  
7 west Territories, would be completed on a limited  
8 basis and that further consideration of the gas  
9 plant proposals would be referred to the regional  
10 planning process."

11 Now I'm not certain what he  
12 meant by "early" but certainly as of mid-April 1975 that  
13 was not the case. Mr. Joyce, Director of DIAND's Northern  
14 Natural Resources & Environment Branch provided this  
15 rationale in response to MDDGAG's concerns about the  
16 restricted terms of reference:

17 "Our committee is responsible solely for  
18 considering the gas plant application. We recogn-  
19 ize the other potential development in the delta  
20 which resulted in the Regional Development  
21 Committee. I realize it is difficult to separate  
22 these two very major projects but it is necessary,  
23 so that on the other hand we can report to the  
24 ACND our assessments of the impacts of the gas  
25 plants, and separately the impact of all other  
26 potential developments on the delta. These two  
27 activities are very closely related. In fact the  
28 gas plant assessment is really one element in  
29 the regional planning process. I appreciate the  
30 problem that you have mentioned that it is



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difficult to separate one element from the total picture but it is essential that they do not get mixed up so that resource demands can be tied directly to the appropriate development. I appreciate each potential development will impact upon, say, Inuvik, and this of course will compound your problems, but it would not be possible to seek all the resources necessary for the complete regional development plan at one time since the timing of each activity will be different."

Other limitations were also detailed by MDDGAG staff. An internal memorandum dated 17th April 1975 stated, and I quote:

"The Colonial posture of the Federal-Territorial arrangement is a blatant fact of life and is a continual problem for the Northwest Territories assessment group (among others). That is research questions must be particularly narrow and stated in such a way as to reflect the need for an ongoing adjustment of native people as individuals. Research set to examine the need of the ongoing adjustment of political and economic realities has been and will continue to be discouraged as unacceptable.

(a) Social development concerns regarding the adverse socio-economic-cultural effects of the gas play, have been determined as unsuitable responsibilities for the gas companies by Mr. Fred Joyce (Director of Northern Natural



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Resources and Environment Branch) in Ottawa.

(b) The requirement to adjust our research focus to the effects of gas plants per se to the exclusion of the pipeline has also been determined by Mr. Fred Joyce in Ottawa.

(c) The requirement to stall off the completion of the assessment group study until November, 1975, so that it is not accessible to the Berger Inquiry has been similarly determined."

The unexpected length of the pipeline hearings has meant that MDDGAG's final report will, I would guess, be completed prior to the end of this Inquiry. However, the reduced scope and its subsequent incorporation into a larger term regional plan may be another device to keep the full impact away from this Inquiry. And as a result of adverse reactions to the idea of yet another government-industry tour around the settlements, MDDGAG's community consultation program was drastically revised. MDDGAG's preliminary assessment made it clear that the narrow view of its terms of reference had prevailed, and in fact its "Socio-economic Shortfall Statement" dated the 30th of May, 1975 refers almost entirely to the Federal Government's pipeline guidelines.

Since then the Federal and Territorial Governments have developed the notion of long-term regional planning in the north. MDDGAG's role was further reduced, in that it was expected by DIAND to produce only an assessment of the producers' proposal without recommendations, and indeed MDDGAG





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ceased to exist at the end of October.

While it might at first seem that regional planning is a step forward in the consideration of development proposals, in fact we have little cause for optimism at this point. A Territorial Government memorandum dated June 1975 listed several basic assumptions for regional planning. One of these is that:

"..the timing for development of many non-renewable resource activities are largely controlled by national interest and the world economic situation. Where feasible, timing should be adjusted to recognize the need for compatibility with local needs and capabilities, and to minimize social disruption."

This certainly suggests that once again regional planning as proposed by the government will involve only a response to developments imposed from outside, rather than any questioning of the appropriateness of these developments in the first place.

Q I turn now, Mr. Commissioner, to the evidence of Gaile Noble entitled,

"Planning and Public Participation in the Mackenzie Delta."

Gaile, would you present that to the Inquiry, please.



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WITNESS NOBLE: My involvement with MDDGAC and <sup>the</sup> later regional plan began in January of 1975 when COPE became concerned that the gas plant assessment (MDDGAG) was a move to by-pass your Commission. Peter Usher has related the sequence of events since the initiation of MDDGAG by the Minister of DIAND to its early termination on October 31st. Remaining funds and much of the staff was then allocated to the regional plan.

I do not wish to repeat what Mr. Usher has already told the Commission concerning MDDGAG. My involvement was on the level of the Territorial Departments staff concerned with MDDGAG and in occasional meetings of the group with representatives of the communities of the Inuvik zone.

A couple of points stand out in my experience with MDDGAG. As participants in the MDDGAG gas plant assessment, the government invited all the communities in the Inuvik zone from Sachs Harbour in the north to Fort Franklin in the south. There was considerable confusion among people from these communities, both as to the purpose of MDDGAG and their involvement in it. In the meetings I attended, people specifically asked why the scope of the MDDGAG assessment was limited to gas plants only? How could impacts be separated from the larger project of the pipeline? Secondly, it was asked why the communities of the central Mackenzie were included if the focus was only on the gas plants on Richards Island. Third, if people did not want the gas plants or pipeline, why were they being called



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in for an assessment of those developments? Could the committee consider that their communities didn't want this development at all?

People from the communities had suggestions and questions of impacts the MDDGAG group had not covered. The involvement of unions in construction and the effect on local hiring; the inflationary impacts on prices of food, goods, utilities; the number of transients that might come north looking for work and how to deal with them. As Mr. Usher remarked, the final MDDGAG report is not available yet, to my knowledge, but as of the final meeting of MDDGAG in October 1975, these questions had not been addressed by the government assessment team.

The MDDGAG team visited Alaska in September and delivered both written and oral reports to the communities. I heard and I read the written report of the group. I was in Alaska in June of 1975 and talked with some of the same people that MDDGAG interviewed in September. I was struck by apparent differences in what the Alaskan informants had said to me and to MDDGAG.

I have since returned to Alaska in December of 1975 and met with some people MDDGAG had interviewed and who had read their final report. There was concern that they had been misinterpreted in that report and at least two informants have written letters to that effect to the Territorial Government. One letter was written by Mim Dixon, Director of the Fairbanks North Star Borough Pipeline Impact Information





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Centre, and the other by Judy Vick, Project Co-Ordinator of the Rural Impact Information Centre. Miss Vick's letter states:

"A cursory view when the report arrived revealed a misrepresentation of the group's interview with Mim Dixon, myself and Jerry Smetzer whose name did not even appear on the report of that half-day interview despite the inclusion of several of his observations. Unfortunately there has been no opportunity to read the report through until recently."

Then the report goes on,

"The number of unsubstantiated conclusions, outright errors of fact, and misspelled names suggests not only a lack of attention to detail but an advocate's approach to investigation of pipeline impact in Alaska. We have serious reservations about the report as a whole, particularly if it constitutes the group's recommendations to the Canadian Government, and feel it does not accurately reflect the Alaska situation."

This is dated February 5, 1976. She went on in her letter to outline the specific errors and misinterpretations.

In the oral report delivered to the community representatives in September on the MDDGAG trip it was said that,

"We simply did not see any social devastation as we had been led to believe by the press,"



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but most people were benefiting with increased incomes and jobs, that "negative" impacts such as increased crime or child abuse or alcohol consumption were not quantifiable or already existed beforehand. In addition, the N.W.T. could not be compared to Alaska because of the higher level of social services in Canada and a more "socially conscious" government.

THE COMMISSIONER: That's a letter from Judy Vick that you read from; I take it it has been received since this was prepared.

A Yes, it has. I believe she sent a copy to you, to the Commission.

THE COMMISSIONER: Well, one way or the other I think that letter from Judy Vick should be marked as an exhibit, Miss Noble's copy.

MR. HOLLINGWORTH: I suggest, sir, that the participants might be supplied with copies.

MR. BAYLY: I have no objection to that.

A A Federal-Territorial Regional Planning Committee had been under consideration since at least January of 1975 with a first meeting of Territorial participants in Yellowknife on April 8th. Initially regional planning and the gas plant assessment group were seen as separate and funded separately.

As with MDDGAG, regional planning was to have a "consultative mechanism" as the Territorial Co-chairman, Larry Elkins, referred to in his summary of the first meeting in April of 1975, and I quote:



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1 "We emphasize the importance of early and proper  
2 local input into any regional planning and  
3 recommended that a Regional Planning Commission  
4 be established in the delta to achieve this."

5 In fact, according to my know-  
6 ledge the Federal-Territorial Regional Planning Committee  
7 did no consultation with local communities on the  
8 regional plan, what its boundaries should be geographi-  
9 cally, how representation would be achieved, except  
10 for a brief memo dated July 29, 1975 to which no one  
11 or group responded. Nonetheless, work proceeded  
12 throughout the summer on the regional plan including  
13 the "consultative mechanism" which was to be a Mackenzie  
14 Delta Regional Planning Council whose purpose was to,  
15 "advise the regional plan about the concerns of  
16 the community."

17 The communities to be included, how they would be repre-  
18 sented and their powers or functions were decided  
19 totally within government, as far as I've been able to  
20 find out.

21 As stated in a memo to the  
22 Director of Department of Planning & Program Evaluation  
23 in June:

24 "In the Mackenzie Delta the divergence is greater  
25 in that the base of professional knowledge and  
26 experience is thin while the regional economy  
27 is narrowly based and the major industrial  
28 development could have overwhelming effect. As  
29 a starting point for regional planning, therefore,  
30 we must be realistic in assessing the practical  
limits of local influence or control. We should





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provide for a local institution with an agreed area of responsibility that does not exceed local capacity."

As a result, a much more restrictive committee or council was formed in terms of communities included and the groups that would be represented in them than in MDDGAG, while the scope of this new committee was much broader. It would,

"provide the public input into the Delta Regional Plan."

Only five communities were included -- Arctic Red River, Aklavik, Fort McPherson, Inuvik and Tuktoyaktuk.

Invitations were sent only to the chairmen of the town, settlement, and hamlet councils. The two Territorial Councillors <sup>from this region</sup> were also invited as non-voting members.

At the same time, the Federal-Territorial Regional Planning Committee, again in the complete absence of all local consultation, as far as I've been able to find out, prepared two documents for the communities entitled:

"Mackenzie Delta Regional Plan and Hydrocarbon Resource Development: A Scenario for the Mackenzie Delta."

The plan outlines five development options, ranging from no pipeline up to four pipeline choices evaluated from minimum impact to high impact with an outline of their supposed impacts. They were then compared with the goals of the Federal and Territorial Governments for the N.W.T. and rated "acceptable" or "not acceptable."



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The second document is a simplified overview of gas and oil development with such statements as:

"There is little doubt that there is a gas and oil industry in the delta and it is here to stay. The Mackenzie Valley Pipeline will be a vital part of that industry."

As to environmental considerations, it is stated that studies have been made on climate, birds, mammals, land, etc., and:

"They concluded that the effect on the environment would be negligible provided that maximum care is taken in site selection, construction and operation."

COPE became aware of the regional plan through Territorial Government employees who expressed the same dissatisfaction as with earlier MDDGAG -- as with the earlier MDDGAG effort. As reflective of these concerns, I've quoted a letter from the Superintendent of local government in Inuvik to the director of local government in Yellowknife:

"The proposal and initiative for the Mad R-Plan did not consider needs, priorities, and pressing concerns from communities, but descended from government from the top."

In his final paragraph:

"In conclusion, it appears that whether we like it or not, there are forces indicating some urgency to establish the proposed council".

The reply from the director of local government to these concerns in Yellowknife is



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perhaps interesting:

"I do not think it is too significant that the proposal and initiative come from on top. Good ideas can spring from anywhere. What is significant is that the importance of local input has been recognized and we must do all we can to see that this input is real, effective, and respected. "

Nonetheless, this local input was not to be expanded to represent other interests in the region, both inside and outside municipal council boundaries such as the Hunters and Trappers Association and native associations whose concerns were also with regional development.

COPE telexed the Territorial Co-Chairman of Federal Regional Planning Committee asking why they had not been invited to the first planning council meeting on November 13th or supplied with any information on the Regional Plan.

COPE had been an active participant in MDEGAG and the Regional Plan encompassed far larger developments in the delta than only gas plants.

The reply from Yellowknife states simply that the council would meet in the morning and the regional planning staff would meet with COPE in the afternoon.

At the first meeting on November 13th, the only native person from the five communities was from Arctic Red River. Sam Raddi, COPE's president came to the meeting as an observer only, with his secretary and myself. Before the meeting began, Mr. Elkin quickly took us out of the room for a private





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meeting. He told us that the council meeting was closed. The five council members would decide if they wished to invite anyone else to participate. Mr. Raddi pointed out that no Inuit was on the council and the majority were white businessmen. The reply was that the communities elected them and government must assume that the normal democratic procedures were followed.

In the afternoon, the government staff of the Planning Committee visited the COPE office. The Regional Planning Council, now called a committee, had decided to invite Sam Raddi to participate as a nonvoting member. Invitations have since been extended on this basis to the Metis Association and the Indian Brotherhood of the N.W.T.

COPE decided to participate in this observer status but laid out its basic objections and recommendations and letters to federal and territorial officials. These objections, in summary, are that committee membership is not representative of the people in the region and is biased towards the business community. There should be at least two representatives from each community and not limited to municipal councillors who were elected only for very narrow responsibilities within municipal boundaries. Sachs Harbor and Paulatuk should be included also because they will be affected by major developments in the delta and other concerned social groups should be included, specifically, Hunters and Trappers Associations and native associations.

Further, COPE expressed its



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concern that the Regional Planning Committee would not wait for the completion of the Delta Phase of the Berger Inquiry in making its initial report and that the Regional Planning Committee was giving no consideration to the upcoming Inuit land claims proposal which would affect any future planning.

The next move of the Planning Committee was a trip to Alaska for the committee members, which was seen by government officials as a way to demonstrate: "The government's seriousness with the Regional Planning Committee".

COPE had offered assistance to the Regional Planning Committee and MDDGAG in terms of our own work on social and environmental impacts in Alaska of the Alyeska pipeline and the trips of Peter Usher and myself to Alaska last spring. Unfortunately, neither MDDGAG or the Regional Plan saw fit to accept COPE's offer until Lorraine Allison, the COPE biologist, informed them that December was a bad time to go because the pipeline was closing down for the winter and it would be rather dark on the North Slope, but the council could not wait. A preliminary report of the Regional Plan was due by the end of March, 1976 which would recommend terms and conditions for proposed hydrocarbon developments in the delta.

Sam Raddi selected me to go in an observer status for COPE and as a resource person to the committee, as no one on the trip had been to Alaska before, nor was there anyone there with a social science background. There was considerable



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One of the businessmen on the committee called Mr. Raddi and insisted he could not send a white person. Government personnel exerted similar pressures offering even a special flight for Mr. Raddi personally to join the committee in Alaska. He was to be out of town when the committee left.

It was somewhat difficult to understand this hostility, as whomever went from COPE had no voting power in any case and the purpose of the trip was supposedly to observe impacts, not represent Inuit interest, except that some impacts were seen as more important than others.

I was allowed to go after a closed meeting of the voting members. Two participants from Fort McPherson and Arctic Red River went with three businessmen from Inuvik, Tuk, and Aklavik. As well, the party included one Territorial Councillor, the Territorial Regional Planner and the DIAND representative under Barry Yates, the federal co-chairman of the Federal-Territorial Regional Planning Committee.

A reporter from CBC and the Superintendent of Local Government, Inuvik also accompanied the committee. I will not dwell upon the Alaska trip except to make a few observations. My own report to COPE was sent to the communities and to the Regional Planning Committee. It was a quick trip from December 9th to December 16th for all but myself, and I stayed on longer. The emphasis was on impacts of concern to businessmen and traditional regional planning; business opportunities, employment, taxation, planning,





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physical infrastructure. However, the committee did meet with two native regional corporations, the North Slope Borough and the Tanana Chiefs as well as the Irbanks North Star Borough Pipeline Impact Informations Center and the Tanana Chiefs' Health Corporation.

Some of the committee were also exposed to environmental impacts other than what Alyeska provided them when CBC interviewed the former state pipeline monitor.

I do not know what the individual members reported back to their local councils. Only the Town Council of Inuvik had discussed the five options outlined in the Regional Plan and they had voted upon them December 8th approving all five pipeline options except number one, that of no pipeline.

Only the two native town councillors abstained, <sup>but</sup> their abstentions were not recorded in the minutes, evidently because they did not request it. Whatever was reported to them about Alaska did nothing to change their minds or make them reconsider the few conditions they thought <sup>to</sup> recommend.

From the minutes, there was relatively little discussion of the impacts of the largest private project in the world and they had time to deal with several other items of town business and perhaps this is to be expected given the information contained in the Regional Plan and a hydrocarbon resource development. This plan, with its delineation of five options and the impacts in the construction and operation phase can only be described as simplistic.



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I have no idea where the authors  
got their conception of potential impacts but it appears  
to have been done without even consideration of the  
MEDGAG - Alaska report which contradicts some of the  
material in this Regional Plan. I can only describe  
this report as one in which the people are not given  
the full range of potential impacts yet it is on the  
basis of the information contained in these two govern-  
ment documents that the government states:

"What we require next is that the people of the  
delta choose the option or options which suit  
their goals best."

(SLIDES ACCOMPANYING REGIONAL PLAN MARKED EXHIBIT  
#556)



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I won't take up your time with this document except to quote a few sentences which illustrate the simplistic reporting. On page 10 of the regional plan it lists some of the impacts under,

"Possible Choice No. 2: Minimum Impact."

The impact on primary activities after the pipeline is built is described:

"Construction and noise has stopped on the gas plants and pipelines. Animals start to return to these areas. The people can return to their old hunting and trapping ways."

Under "Option 4, medium impact", the impact on the native way of life is described:

"Inuvik and Tuk will become more civilized and the traditional way of life will almost be gone."

Moreover,

"Most social service programs in all communities will be bigger and better."

No suggestion that continuing rapid development might follow, that life will be permanently changed, that social impacts will be anything more than minor temporary disruptions. In a closed meeting in Anchorage, the voting members decided to have the government planning people come to their communities and describe the regional plan. This happened a few weeks ago now with their tour sandwiched in between the latest Pallister and Associates tour to the communities, various Territorial employees seconded to the regional plan consulting with the communities on their needs in education, social development, and so on, your own hearings, Mr.





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Commissioner, and the Arctic Waters Oil & Gas Advisory Committee. I accompanied that tour as did a member of the Board of Directors of COPE, to Tuk, Aklavik and Inuvik. C.B.C. and the Native Press accompanied them to all the communities and most of the meetings are on tape. Two government officials presented the slide show and talk.

If the printed version of the regional plan can be described as simplistic, the slide show was even more so. I was just wondering at this time, I know that you've seen those slides, do you want me to repeat my testimony on them?

THE COMMISSIONER: Sorry --

MR. BAYLY: Mr. Commissioner, those were the slides that we produced during the cross-examination of Mr. Elkin and Mr. Yates.

THE COMMISSIONER: They were the options?

MR. BAYLY: They were the option slides, yes. Perhaps it would be appropriate that they be put in as exhibits here since we didn't put them in at that time.

A I'll just skip over that paragraph. That material was all contained there.

THE COMMISSIONER: Excuse me. Just to maintain continuity --

MR. BAYLY: Perhaps you'd read through --

THE COMMISSIONER: -- you left something out earlier about taxiing down the runway or



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something. I kind of lost you for a moment until I discovered that you had moved on ahead.

A You may have gotten the original version of my testimony.

MR. BAYLY: Yes, that was left out intentionally, Mr. Commissioner. There will be witnesses coming from Alaska and it may be more proper for them to describe things that go on in their own communities.

THE COMMISSIONER: O.K.

A Well, I'll continue again starting on page 15.

Q All right.

A The regional planners made no changes in their presentation of the plan as a result of their trip to Alaska although they heard and saw far more social and environmental impacts than are even hinted at in this presentation. Secondly, COPE had supplied them with copies of our interviews in Alaska as well as documented evidence on environmental as well as social impacts such as health, mental health, alcohol abuse, housing, etc. These were never mentioned in these community meetings, unless myself or someone else brought them up.

One question in Arctic Red, I believe it was, I was not there, this was a comment that was given to me was,

"Why don't you tell us about the bad things that will happen too?"

I don't have the quote verbatim from the government



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team but it was to the effect that the bad things, the social problems were individual events while such things as jobs, wages, were social, and affected everyone.

In Tuk there were more people present but almost no discussion or questions were allowed from the audience during the five-hour session. I did not go to Fort McPherson or Arctic Red River, although I talked with the representative on the Regional Planning Committee from Fort McPherson and with the press members who went. People in Fort McPherson simply turned on the lights part-way through the slide show with remarks, "Well, we've seen this all before." In Arctic Red River the show was completed and before all questions could be answered the group had to continue to Fort McPherson for their evening meeting. They returned to Arctic Red but no meeting was held. I understand there was a moose there and the community was out hunting when they returned.

COPE has expressed many 'concerns and asked many questions both in letters to Mr. Elkin, Deputy Commissioner of the Northwest Territories John Parker, and Mr. Barry Yates. We have also raised them time and time again in both the MDDGAG meetings and those of the regional plan. A principal question which we have raised in almost every meeting is the relationship of these projects to your Inquiry, Mr. Commissioner. Is this not a duplication of the Berger Inquiry and source of confusion to people? You have heard Mr. Joyce's reply to this question in terms of "site specific" versus "general recommendations" contained in Mr. Usher's testimony. The government's





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reply -- there's a mistake there, I just checked over the minutes, it's at the September 18th meeting, not the October 23rd meeting of MDDGAG was somewhat different. It was stated that the Berger Inquiry only solicited the responses of individuals which were very different and tended to be the extremist elements who spoke, not the total community in the community hearings. Further, the government must have some representative "consensus" of the community, and this is provided by the individuals on the Regional Planning Committee. Mr. Elkin, responding to the question in his meeting with COPE on November 13th answered in yet a different tone. The planning personnel, he said, of course studied the transcripts of the hearings and the work of your Inquiry would be incorporated in the ongoing and evidently never-ending regional plan.

The replies of the Deputy Commissioner of the N.W.T., John Parker, and the two government co-chairmen of the Regional Planning Committee to the objections and concerns raised by COPE answered nothing except to admit there were some "apparent deficiencies" in the representative process of the Planning Committee but these could be dealt with in time. In the meanwhile the plan would go on. The most recent meeting of which I'm aware of the Regional Planning Committee took place January 30th in Inuvik. Two were actually held, one in the afternoon of committee members of a local government person and myself in attendance. No one was quite sure why the meeting was called, and the notes for that meeting sum up the



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1 dissatisfaction primarily of the native members, and the  
4 confusion of just what this planning effort was all  
3 about. At the evening meeting, Barry Yates and Larry  
4 Elkin met with the committee. The two Territorial  
5 Councillors were also present. The representative  
6 from Fort McPherson and Sam Raddi, COPE's president,  
7 repeatedly questioned the basis of this committee, its  
8 representativeness, its relation to the Berger Inquiry,  
9 its relation to land claims, its terms of reference.  
10 The member from Aklavik expressed strong dissatisfaction  
11 with the slide presentations in the settlements. It  
12 was presented as a threat, he stated, and by government  
13 people which just riles the hostility of everyone.

14 In answer to specific questions

15 Mr. Yates and Mr. Elkin made these particular points:

16 1. They are prepared to broaden the number of people  
on the committee and include such groups as the Indian  
18 Brotherhood of the N.W.T., COPE, the Metis Association,  
19 etc. Mr. Yates had talked with Sam about two members  
20 from each community, and this certainly could be done.  
21 Sachs Harbour and Paulatuk could be included.

22 2. Don't depend on Justice Berger.. His hearings are  
over this year but the plan will go on and on. Berger  
24 is only making recommendations on the pipeline. The  
25 regional plan provides for a forum where local people  
can make their views felt on all developments.

27 In any case, the government will go on and plan whether  
28 communities are involved or not.

29 3. The Regional Planning Committee is a "creature  
of the Territorial Government" and while the Federal



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Government would certainly listen to the committee, it must go through one government and that is the Territorial.

4. Anything the Regional Planning Committee says or does "will not be prejudicial to land claims". Land claims negotiations have priority over anything said or done by the committee.

5. In answer to the terms of reference of the committee Mr. Yates stated that

(1) Beaufort Sea developments were within its jurisdictions for recommendations and the artificial islands

(2) Husky Lakes and dredging were also within its jurisdiction for recommendations;

(3) Parsons Lake is also within its jurisdiction as well as things like roads, gravel pits, etc.

(4) The pipeline is not within the terms of reference as this development is up to Justice Berger and the N.E.B. so there is no sense in duplicating its work;

(5) Land freezes and moratoriums are also within their terms of reference.

6. The Regional Planning Committee is advisory only to the whole regional plan.

The meeting broke up that night but with no date for a future meeting. Members would go back to their communities and explain what the Planning Committee was supposed to be about and the communities would decide if they wanted to participate or not. Larry Elkin would send out letters to all the present members explaining the role of the committee. If the communities decide to participate, they will





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1 elect whom they want to represent them, and it can be  
2 two people, not necessarily the municipal-councillors.  
3 Communities can drop off and come back on the committee  
4 at any time.

5 It was also recommended by  
6 committee members that the March 31st date for recommen-  
7 dations and a preliminary report be scrapped. As one  
8 member, the representative from Inuvik said, it would  
9 take a long time for people to understand what regional  
10 planning was all about, and for a committee like this  
11 to develop into a really functioning body.



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THE COMMISSIONER: Well, maybe  
we could stop for five minutes for a quick coffee and  
maybe you might talk to counsel about our programme for  
this afternoon and tomorrow morning. Just sort it out.

(PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. BAYLY: Mr. Commissioner,  
Miss Hutchinson has kindly photocopied this letter and I  
have requested that it be put in as an exhibit with  
Gaile Noble's evidence.

THE COMMISSIONER: That is the  
letter of February 5, 1976 from Judy Vick, project  
coordinator, Fairbanks to Pat Dixon of MDDGAG, but you  
said that there was another letter from Mim Dixon,  
Fairbanks North Star Borough Impact Information  
Centre -- that letter should be marked as an exhibit  
too.

MR. BAYLY: All right, sir,  
we'll have that one reproduced as well and do that  
tomorrow morning if that's satisfactory.

THE COMMISSIONER: All right.

MR. BAYLY: I have a copy of  
that here if you want to look at it now while you have  
time before --

THE COMMISSIONER: Well, you  
could give it to Miss Hutchinson and she could  
photostat it and then it could be marked now.

Well, I have a feeling  
we are back to Dr. Usher.

MR. BAYLY: We are.



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This is the piece of his evidence entitled "Assessment and Consultation: Analysis and Conclusions."

WITNESS USHER: Rumour has it that we're going to watch TV at 4:00. Is that correct?

MR. GOUDGE: There is a consensus from counsel, Dr. Usher, if we can prevail on --

WITNESS USHER: Only if -- I don't mind if somebody wants to sort of say, "hold it", you know it is 4:00, why don't you stop for a minute?"

THE COMMISSIONER: I think that "Edge of Night" has a considerable following.

MR. BAYLY: Perhaps we could start then.

WITNESS USHER: We believe that the process of information, consultation, assessment and review of major development projects in this region has been unsatisfactory so far as native people are concerned. In showing how these processes have failed in the past, we are not simply trying to revive old complaints. We want to analyze the causes of this failure and suggest measures for rectifying it. The present situation has created a profound mistrust toward government and industry on the part of native people, and that in itself has been a significant social impact of petroleum development. It is also one which does not augur well for future cooperation and mutual benefit.

I would like first to examine the patterns which emerge from our case studies,





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1 then to account for them and finally to assess the  
2 manner in which they conflict with the native people's  
3 expectations. I should add that our case studies are  
4 in our view not isolated examples but typical ones. We  
5 could equally well have cited the Cape Bathurst moratorium,  
6 the assessment of the offshore drilling programme and the  
7 consultation about it, the Territorial Land Use Regulations  
8 and the gas pipeline proposals themselves. I will use  
9 the term proponent in this discussion to mean any agency  
10 which initiates and/or conducts a development project,  
11 be it government or industry. Though I use that term  
12 it does not refer to any particular company, department  
13 or applicant unless it is specified.

14 Several patterns emerge from  
15 our examples, and are otherwise evident to us from our  
16 experience in this region. They are:

17 1. The problem of timing. Consultation and assessment  
18 occur only at the late stages of development. In the  
19 case of large projects, such as the pipeline or the gas  
20 gathering and production facilities, information is given  
21 only at the late stages of planning. Information about  
22 smaller scale land use operations such as seismic  
23 activity, are often given to communities only after the  
24 proponent has committed funds and staged equipment.  
25 Hence local people are put in the position of reacting  
26 to development proposals which already have a certain  
27 momentum.

28 In no instance to date in this  
29 region have social, economic and environmental impact  
30 studies been commissioned at the same time as technical



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linked with the ability studies with any given development either by government or industry. Although the development of the Mackenzie-Beaufort Basin began effectively in 1966, when it was opened for exploration, no serious environmental or social impact assessment was initiated by either government or industry until the early 1970s. The Task Force on Northern Oil Development established its Environmental Social Committee in 1971, and no published results of that committee's research were available to the public until 1973. There is, however, reason to believe that research papers having a confidential status were given to industry as a matter of course.

Thus active consideration of environmental and socio-economic impacts of oil development by both government and corporations did not really begin until about 1971, over a decade after development had been deliberately stimulated by the government, and years after an approximate target date and location for field development and oil and gas transport were known. With regard to the Mackenzie Valley Gas Pipeline, affected parties have had only since late 1974 to conduct independent assessments of government and industry research. This recent opportunity for public scrutiny is unprecedented in Canada, and is in our view a significant step forward, but there is no evidence that similar opportunities for public review of other phases of energy development in the north will be offered.

2      Secretary      of information. We have cited several examples of this. That certain information



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1 he kept secret by government as well as by industry  
4 is a matter of demonstrable fact. There have been  
6 cases of suppression or delay of publication of reports  
8 by the Department of Indian Affairs for two years or  
10 more. In the case of other reports where there had never  
12 been any express or implied commitment to publish, it was  
14 simply seen as judicious not to permit certain informa-  
16 tion to get into the public domain even though such  
18 information, obtained with public funds, might have  
20 been very useful to native people.

22 That this secrecy is a deliberate  
24 policy on the government's part, and if so, what the rea-  
26 sons for it are, are matters of informed judgment and  
28 opinion. In my experience in the Department of Indian  
30 Affairs, secrecy and the suppression of information grew  
32 rapidly from about 1968 into the early 1970s. The his-  
34 tory of the Northern Science Research Group since 1968  
36 progressively isolated within the department, its  
38 role in policy consideration curtailed, its publications  
40 program cut, and research results suppressed, does not  
42 bode well for the integration of research and policy.  
44 During those years, senior officials in the Department  
46 of Indian Affairs clearly saw themselves not as serving  
48 the public but as beleaguered by a hostile public and  
50 press, from whose view the government's business must be  
52 kept hidden at all costs.

54 3. Quality and completeness of information. It is  
56 to be expected that the proponent of any development  
58 activity will seek to present its proposal in the most  
60 favorable light. Hence it will emphasize the benefits





~~Delta, Delta, Allison, Cournoyer~~  
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of its projects and minimize the potential costs. It also appears that government sources of information are invariably favorably disposed toward the development as well. Dissenting views on land use applications, for example, are not made available to the communities. The presentation of the Regional Planning Committee in the delta last <sup>January</sup> could more easily be dismissed as hastily conceived but well intended were it not part of a larger and very consistent pattern.

There is also the matter of completeness of information. Development proposals are presented and assessed in a fragmented, piecemeal manner. Your Inquiry has recognized that this area -- by that I mean the delta, the Western Arctic -- is faced not solely with the prospect of a pipeline but of several inter-related developments including an oil pipeline, gas and oil gathering and production facilities both onshore and offshore, and possible highways and railways. The latter two may in time make other potential developments, such as mining in the nearby mountains and shield, more feasible. We are on the threshold of several truly massive and interconnected developments in the Western Arctic, which will change its environment and society beyond anything which has preceded it.



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Yet government and industry continually invite us to consider these developments in total isolation from each other. The examples of gas plant versus gas pipeline assessment and of the land use permits, have been cited. Any particular component of development may seem innocuous enough. One seismic program may not do much harm. One well, drilled in a particular area may be of little consequence. Five well clusters and two feeder lines in the delta may not look like much. Canadian Arctic Gas argues that the pipeline right-of-way will require only 40 square miles of land and that the pipe will be buried anyway.

The compressor stations may make noise, but they will be 50 miles apart, for the present at least and the likelihood of future looping of the gas line is barely mentioned in the communities.

Neither the companies nor the government will talk about hot oil pipelines, because no official application has been made to build one yet. Yet, the individual developments, taken together, may have cumulative and reinforcing consequences. They also develop a collective momentum so that any obviously harmful components can no longer be ruled out because so much investment has preceded them, and it is the cumulative effect which is important not only on particular components of the environment or the economy or the society, but the total impact on the whole system of human and natural life.

For example, we are told that sulphur dioxide emissions at the proposed gas plants in



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1 the Mackenzie Delta will be sufficiently low that no  
2 environmental hazard is foreseen, this being due to  
3 the low sulphur content of the proven gas fields.

4 Now, even assuming that the  
5 producers are correct, what if high sulphur gas were  
6 discovered in the future? We have heard in evidence that  
7 industry would not willingly keep it in the ground,  
8 because it posed an environmental hazard. I think  
9 this suggests that even where a particular component  
10 of development may, in future, be acknowledged as  
11 unavoidably hazardous, the overall benefits or necessity  
12 will be invoked on the grounds that so much investment  
13 has already been made in the overall development.

14 At a meeting in Tuktoyaktuk  
15 in October, 1973 concerning proposed seismic exploration  
16 on Cape Bathurst, the people of the community totally  
17 opposed the program. Government officials had come  
18 to convince them that such work with certain restrictions  
19 would not harm the natural environment there. The  
20 people replied that seismic work, if successful, would  
21 lead to field development, pipelines and possibly  
22 refineries to all of which, they were unalterably  
23 opposed. Hence, there was no use discussing the impact  
24 of seismic work as such.

25 The government, on the other  
26 hand took the view that it would consider the impact  
27 of each stage of oil and gas development only as it  
28 occurred and it had not yet been proven that any oil  
29 or gas underlay the Cape Bathurst area. It would appear  
30 that at every level, the people of the western Arctic





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are invited to ignore the forest and consider the trees.  
At no time have they been provided with a comprehensive  
scenario of the long-range development possibilities  
of the oil and gas basins in that area, save for the  
recent work of Mr. Shearer commissioned by COPE or with  
a comprehensive assessment of the long-run cumulative  
impacts of these developments.

4. Limited terms of reference  
for assessment. The focus of government and industry  
studies is invariably restricted in several ways.  
First, as suggested, is the nature of the development  
under consideration. What is the impact of a pipeline  
of a particular gas plant of building an artificial  
island in Mackenzie Bay, of summer drilling on Banks  
Island, of offshore drilling in open water?

It is as though each were  
unique and unconnected. Often the investigators are  
told specifically to restrict their inquiry to the  
project in question. Dr. Pimlott, for example has  
cited the case of F. F. Slaney being asked by Imperial  
to assess the impact of the construction of an offshore  
island, but not its use or disposition and we have cited  
the case of MDDGAG.

There are other ways in which  
the scope of impact consideration is restricted, especially  
in the case of socio-economic studies. Government  
impact studies of the pipeline not only consider it as  
an isolated phenomenon, but evaluate impact in terms  
of whether the applicants proposals meet the pipeline  
guidelines laid down by the Federal Government. Yet,



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these guidelines were established prior to any impact studies being completed and without significant input from northern residents.

Industry in particular, seeks to reduce the scope of consideration of the changes it will cause. To industry, socio-economic impact seems to refer exclusively to the number of jobs created and the flow of cash which is generated with brief allusions to the possibility of improvement in physical plant at the community level. Industry is, however, merely responding to the government's guidelines and in a more general way, to what it believes to be the concern of government.

Both government and industry emphasize the quantifiable elements of economy and society, or at least those in which changes can be predicted in terms of more or less rather than any qualitative way. Thus, these impact studies contain much information on population, labor force, jobs, income, expenditures, costs and so on. They provide very little information on social relations, political development and control, family and community life, cultural values and general social wellbeing.

It would appear that these broad questions of social impact are either explicitly beyond the terms of reference of those who write assessment reports for government or industry, or that these people sense that these questions are implicitly beyond their terms of reference.

of

5. The institutional framework



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1 consultation. Government and industry generally define  
2 the manner in which consultation will take place and  
3 in which the people's views are to be expressed. There  
4 has been a widespread view among native people in the  
5 western Arctic that government and industry's conception  
6 of consultation is to inform people of pre-existing  
7 plans and suggesting ways in which they should adapt to  
8 them.

9                   It is no longer correct to  
10 suggest that government and industry do not consult  
11 with communities, although there are instances where  
12 this fails to happen. Of much greater concern is the  
13 form and content of           that consultation. If anything,  
14 the small communities in the western Arctic are now  
15 being overwhelmed by consultation. There are many  
16 meetings, perhaps two or three or four a month in  
17 each community at which government and industry represen-  
18 tatives arrive, usually together to inform the people  
19 of individual development proposals or review individual  
20 land use application. Movies and models are shown  
21 and people are invited to inquire about the specific  
22 features of each project.

23                   General questions about the  
24 overall impact and whether they should proceed at all,  
25 are politely dismissed as not being the particular  
26 concern of that company or government agency.

27                   We believe that this approach  
28 serves only to trivialize both the proposed developments  
29 and the people's consideration of them. What is happening  
now is that native people are being consulted to the





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boredom about trivia. There are endless meetings over small details such as how a particular seismic program should be conducted and whether it will cross anyone's trapline or where a feeder line might cross a channel and so on. But the people are never invited to decide whether these things should happen at all. This has led to increasing cynicism and apathy in the communities towards consultation.

Attendance at meetings is often both low and disinterested, if not actively hostile. The public meeting is not an entirely appropriate forum for either information or decision making in the small communities. Much information given out at public meetings does not get through to people partly because it is presented in English, partly because it is presented in technical or complicated language and partly because of what I suspect is a much more subtle communication barrier, that is the manner in which southerners generally organize and present their thoughts about complex matters does not make sense to native northerners. This is not a comment on relative intelligence in any way and my reasons for saying this are perhaps intuitive rather than scientific based on attending meetings in small communities for many years.

But, there do appear to me to be some fundamental differences in the way people perceive things and organize their thoughts and interpretations about things. There are also fundamental differences in world view and basic assumptions which



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are the cultural means through which people interpret information.

Now, I've already suggested why the public meeting is not an appropriate decision making forum. In my experience, native people prefer discussing a matter until a consensus is reached and do not feel comfortable in making a decision by majority rule. If a consensus cannot be reached, then the decision is put off until there is one. This is one important reason I believe, that <sup>the</sup> representative system of government which has imposed on people by the development of territorial and local government institutions creates a great deal of confusion and misunderstanding about decision making on the part of native people, as well as on the part of outsiders who must interpret or act on their decisions.

I expect evidence will be led in more detail on the subject in phase four, so I will only comment on it now as it affects the problem of consultation.

Outside agencies have chosen and indeed, imposed the public meeting and representative government as the institutional framework through which decisions are taken and authority is channeled. The problem with representation on the Regional Planning Committee is only the most recent manifestation of this problem.



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Native organizations, for example, have had to fight a long battle to become accepted by government and industry as appropriate channels for consultation, and in the process have been forced to conform to southern notions of democratic institutions. Even today there is a constant undermining of legitimacy of these organizations, and any others that native people establish, and many obstacles are placed in the way of their effective participation and control. Very simply, government rather than the people themselves determine the institutional framework of political decision-making.

I would simply emphasize that a southern institutional framework for consultation, whatever one might think of its suitability in the south, cannot be assumed to be appropriate here. I think there are many instances where it has set up expectations which in the outcome could not be fulfilled, at least through the existing system, and this in turn has led to frustration. If the goal is to involve native people in development in any meaningful way, then these problems demand close attention because the failure of expectations has profound social consequences. It is thus a matter of great concern if consultation is more apparent than real.

We have also documented a number of instances where promises and assurances have been made to native people in the course of consultation, no doubt in good faith, which have proven impractical or impossible to fulfill. This again is a matter of concern, for if terms and conditions for a pipeline or any other





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similar endeavor are to be set out, then there must be some visible and effective means of ensuring their enforcement and fulfillment if native people are to have any confidence in them.

6. Lack of effective control at the local level.

One of the most frustrating things to native people about the consultation process is that they never have the right to ultimate veto. They can never say "No" to something, only comment on how it might best be done. This situation was perhaps best summed up by the Minister of Indian Affairs in a letter to the Hamlet Council of Aklavik, dated the 26th of March, 1975, in which he said:

"You asked if the views of local people are listened to. The simple answer is yes.

However, you must understand that the policy of the Federal Government is to proceed with development..."

Whatever sentiments may be expressed in government policy statements, both politicians and senior civil servants have made it very clear that major developments in this region are a function of national policy. It is a fact that never in the history of northern development have the objections of local people or the scientific determination of adverse and unavoidable yet negative effects, forced a permanent halt to any project to which the government has committed itself or encouraged private interests to undertake as a matter of policy.



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It would appear that one of the ways in which government contrives to appear not to overrule local feeling is to deny the existence of a fundamental conflict. We have documented this phenomenon in the case of Banks Island, and it is a recurrent theme with regard to all major developments. A critical assumption is made at the outset which is that it will in fact be possible to have development and still protect the environment and ensure the well-being of the local population. The government has at the very start assumed all significant problems are capable of amelioration. It has ruled out the possibility that major adverse consequences of these projects could in fact be absolutely unavoidable, or if they are, that they could possibly outweigh the supposed national economic benefits. This is evident in both the Federal Government's policy for the '70s and the expanded pipeline guidelines, both of which were formulated in advance of significant research and consultation. I should add, however, that this cast of mind appears characteristic of every political party in power in Canada federally or provincially today, and I do not want this analysis interpreted in any partisan way.

In any event, effective veto power over even relatively small components of a major development can occur only through enormous political effort being exercised by a community. We see that the Sachs Harbour people have managed to maintain some control over exploration procedure by virtue of their continued vigilance and determination, as well as, I



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would guess, latent media sympathy which could be activated in a crisis. In the case of the Cape Bathurst moratorium, one can only suspect that national news coverage of a petition to the Prime Minister signed by virtually every adult resident of Tuktoyaktuk two weeks before a tightly contested federal election must have had something to do with it. We have no other case in this Western Arctic where local protest has been able to force a significant delay (for we are still unsure that there will be a permanent halt on Cape Bathurst) to even a single seismic program.

This situation leads to some confusion on the part of native residents. They do not appear to have recourse to any statutory veto power in protecting their lands, and the exercise of political power in defence of these lands may or may not work, depending on a number of factors largely beyond their control. We have also pointed to some instances in which the lack of clarity about procedures means that what little statutory protection there is, is sometimes not effectively exercised.

How do we account for these patterns and problems? It is easy with the benefit of hindsight, to say what should have been done. Public attitudes in Canada have changed significantly in the last decade or so with regard to the environmental and social consequences of large scale developments. No one can blame any agency or proponent for not taking into account the viewpoints which only emerged long after the project was conceived. But as the lead time and the





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magnitude of investment become greater for such projects, society in general and native northerners in particular are faced with a serious problem in anticipating the impact of these projects and dealing effectively with it.

There appears to be an obvious practical difficulty. For every proposed project brought to the development stage, there may have been five or ten which were considered and rejected as impractical by individual corporations, industry-wide associations and governments. These bodies naturally argue that they cannot be expected to spend money on impact studies or proposals which have not yet been found to be technically and economically feasible. Even a project in the development and investment stage may not be clearly enough designed to make accurate predictions of its impact. If the nature of the change cannot be specified, then how can one predict its impact? Even now after several years of planning, the applicants cannot be specific about every last detail of their proposals. Certain problems may not be worked out until final design stages or actual construction.

We know too, that changes in public attitudes occur slowly and the responses of large organizations, be they governments or corporations, are equally slow. I think it is fair to say that both individuals and organizations see their prerogatives and authority threatened by demands for more studies, more public scrutiny, and different criteria for decision-making. They do not welcome change, especially when it is in the interests of other than themselves. Large



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scale development proposals assume a powerful momentum as soon as they are conceived and initiated. Those who raise no objections to them based on previously unconsidered criteria at a late stage should not be surprised by the atmosphere of confrontation in which they find themselves.

Yet to suppose that the current inadequacies of impact studies and citizen consultation and review are the result of public indifference, natural resistance to change and some technical difficulties, all of which are being gradually overcome, would be comforting but in my view it would also be incorrect.

The recent study by the Science Council of Canada on northern development points out that in our society, it is the large corporations both public and private which are almost invariably permitted and indeed allocated the responsibility for initiating development projects. All other interested and affected parties are thus put in the position of having to react to these proposals.

I believe the intrinsic nature of the corporation, as well as its role as initiator of development projects, means that the corporation has an obvious bias in favor of development. Now that may be stating the obvious in a sense, but there appears to be some debate about its implications. I must add, however, that I think this is just as true of public corporations as of private ones. Further, it is true of governments as well, especially in a so-called mixed economy.

It would take a great deal of time to elaborate this



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position but I would emphasize that in the case of very large developments and in particular of petroleum development in the north, that the Federal Government has quite deliberately placed itself in the position of partnership with a whole industry rather than (or at least in addition to) regulator of competing firms within an industry. I think there are several consequences of concern to us here which result from that situation. One is the timing of impact studies and the relative priority they are given, another is the narrowing down of the terms of reference and the scope of impact consideration by both professionals and the public, and a third is the ideological orientations or underlying assumptions of the assessments themselves, if not indeed of the whole assessment process.





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MR. GOUDGE: Dr. Usher, I  
wonder if we might pause there sir for a short time?

A Sure, let's go.

THE COMMISSIONER: All right.  
Those who want to watch this television program which  
I understand will feature two Ministers of the Govern-  
ment of Canada are invited to come to my suite which  
is 803 and maybe the overflow could go to your suite  
Darrel, the Arctic Gas suite which is what? 703?

MR. CARTER: That's right.

Mr. Taylor tells methat's gone with Mr. Hemstock.

MR. HOLLINGWORTH: Then come  
to 603 if you like.

THE COMMISSIONER: Well, 603  
then, that's Foothills.

(PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. BAYLY: Mr. Commissioner,  
if we could start again with the evidence of Dr. Usher,  
I believe at page 17.

WITNESS USHER: I  
should thank you gentlemen for the break. It was  
good.

The problem of timing has  
already been discussed. I believe that the technical  
difficulties cited above are not as great as might be  
imagined, since they stem from the fact that development  
initiatives generally rest with corporations. In fact,  
there could be a constant interplay between technical,  
economic, environmental and social assessment. It is



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not essential that the proposal be in its late design stages before a serious assessment is done of it.

At the time of the preliminary feasibility studies, preliminary impact assessments could also be made and there is a need for public or some form of independent involvement at this early stage.

As the engineering details become more specific, so the impact assessments can become more specific. There is no inherent reason for environmental and social impact assessment or even consultation to be merely tacked on at the end.

I have shown how the terms of reference for assessment are unduly narrow in that they are -- in that they generally deal with each development component in isolation and they generally omit the questions of broader social and political well-being. Corporations generally argue that such matters are not their responsibility. It is less obvious why governments should choose to avoid qualitative issues of social changes although the link between government and corporate interests are part of the explanation.

In my own experience in the public service, senior administrators prefer it this way because the prediction of intangible effects is certainly very difficult and is, therefore, best avoided. As well, many of them believe that so long as jobs and income are provided, other things will either take care of themselves, or they are not the business of government anyway. In particular, questions



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of political and economic power and control or any subject critical or embarrassing to the government or the public service, are to be avoided at all costs.

If impact studies do examine social problems, it is generally with reference to the impact on the government programs which deal with them rather than the problems themselves. They generally accept the prospect of negative social impacts and make recommendations for government action to deal with them. The approach is curative rather than preventative. Thus, government impact assessment reports are almost always handicapped by the extreme caution of bureaucrats. There is a tendency to delete any conclusion which is though to be the least bit speculative or unsupported by hard data on the grounds that it is unwarranted and alarmist.

Thus, the social costs of development are inevitably underestimated.

Company sponsored impact studies invariably assume that the proposed project will proceed. Therefore, their consultants are not asked to comment whether or not the project should proceed, but rather how it can provide the most benefit and the least harm. This stance, in itself, shapes the resulting studies significantly. More curiously, again, governments also tend to frame their inquiries in this way. Government impact studies generally make neither judgements nor recommendations save for recommendations about effective government programs.

The theory is that these studies





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are supposed to provide governments with the information required to make rational political decisions. It is seen as the government's job to weigh the various impacts and come to a decision in the best interests of all. I will not discuss this point further, as I understand it is not the business of this Inquiry to sit in judgement of the government. I would merely emphasize that the theory only holds good if the government is, in fact, neutral and disinterested in this regard.

I mentioned the ideological orientation of impact assessments. There is no such thing as a socio-economic impact statement without an ideology and set of assumptions, explicit or implicit, nor can there be. The identification of problems, the gathering of information, the options considered, and the conclusions reached, all reflect value orientations. These are crucial to the results of the study.

The most obvious bias is the one already referred to, which is the assumption that development will proceed. Even where a hypothetical no development case is considered, the sponsoring agency's preference is any event, very clear. That indeed, this very dichotomy assumes that there are no other alternatives. This bias frequently extends to the notion that not only the particular proposed development, but "development" in general is inevitable if not desirable.

These ideological biases rarely prejudice the specific conclusions of impact studies in the sense that they are demonstrably wrong or



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1 unscientific, but they do prejudice the kinds of  
options examined and the standards by which impacts  
are assessed. If development and "progress" are accepted  
as unquestionable, then even if one is sympathetic to  
the people affected, the impact study will be conceived  
within the least harmed, most benefit framework.

7 Although we have noted that  
the sponsors usually specify this framework at the  
outset, there is good evidence that most scientists  
and professionals involved in impact assessment have  
internalized this cast of thought and operate on the  
basis of it, whether or not they're explicitly told  
to do so.

14 The problem with it is, that  
it implicitly exhorts native people to make the best  
of what is coming, to adapt in whatever ways are  
necessary, to maximize the benefits they could potentially  
realize out of development. In a sense, the momentum  
of the assessment process itself rules out the alternatives.

20 These ideological or  
cultural biases are particularly important when develop-  
ment is proposed by one society and the impact is to  
be borne by another. If the impact studies are all  
commissioned by the society which proposes the develop-  
ments, and actually conducted by members of that  
society, then the chance that these studies will be  
irrelevant to the other society is high. I am not  
suggesting that the one society is right and the other  
is wrong in some absolute sense. Only that if biases  
are incorporated into these studies which are not



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mutually accepted, then neither will the results and conclusions be mutually accepted.

Those studies which deliberately avoid judgements and recommendations are not value free on that account. Some betray an evident white middle class bias in favor of an urban style of life, individualism, careerism, steady employment, increasing incomes and consumption, and a repugnance towards casual mixed or sporadic economic endeavor at the individual or family level and towards bush or small communities life, the absence of plumbing and the assortment of social pathologies to which native people are supposedly prone. Others at least assume the inevitability if not the desirability of development and a one-way and irreversible process of social change in non-industrial societies towards modernization and industrialization.

Indeed, such assumptions are not inconsistent with some schools of thought in the social sciences. They characterize what are considered in legitimate academic circles to be "scientific and unbiased studies". As it happens, such intellectual stances conveniently provide the rationale for the project in question. Above all, studies at all points on the spectrum almost invariably assume the continuation, or at least only very gradual transformation of the existing economic and political system. This means that a number of alternatives are simply not considered.





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Most impact studies are thus unconsciously ideological but consciously amoral. They make no judgments. They try to measure change without evaluating it. Perhaps their unconscious biases creep in because there are no conscious standards by which to evaluate change. This leaves us with the problem of what standards can be used in socio-economic impact evaluation.

I would distinguish between two types of impact studies, which I call static and dynamic. The static type of impact study provides two or more still shots of a situation at separate times. A baseline is delineated and described, this usually being the present situation. Specific changes are introduced, known or supposedly known processes are entrained, and the result is the predicted new situation which is measurably different from the first. In simple terms it is a kind of  $A + B = C$  formula for impact prediction. But how do we evaluate whether C is better or worse than A?

The dynamic approach to impact studies may offer an answer. This approach assumes the existence of a group of people who have common collective interests. Such a group would normally be a socio-economic class, sometimes an ethnic or racial group, or a particular region or community, or even a whole society if that society is not divided in its interests.

In the Western Arctic it can be argued that there is a distinctive native society whose members have certain common and over-riding interests. It is, moreover,



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1 a society with territorial integrity and whose members  
2 constitute a majority within that territory. The real  
3 question of development in such a case is thus one of  
4 control. Without regard to the nature of the particular  
5 impacts, is this society to be allowed to develop accord-  
6 ing to its own dynamic, or forced to accommodate to  
7 somebody else's? If it is the former, and if its  
8 people are to influence the development of their own  
9 society, then they must have a substantial measure of  
10 autonomy and control. Thus one standard by which to  
11 evaluate change is whether the proposed development  
12 increases or decreases local political autonomy.

13                   An impact assessment predicated  
14 on these notions must try to identify where the society  
15 has come from, where it is now, and where it could and  
16 should go in the future. That knowledge can only come  
17 from the members of that society. But it is only with  
18 that knowledge that anyone can evaluate future impacts.  
19 Evaluating the social impact of some specific action is  
20 relatively meaningless unless it is done in the context  
21 of some larger vision of what society is or ought to be.  
22 We can suggest all manner of consequences flowing from  
23 all manner of options, but it is hard to evaluate these  
24 without some clear goal or vision in mind. What is  
25 needed then is the articulation of that vision. This  
26 cannot be done through sophisticated methodology or by  
27 so-called value-free analysis.

Once there is some sort of  
vision of the future, then it can be more readily  
assessed whether any particular development helps toward



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1 the realization of that vision or impedes or even  
2 precludes it. That is the standard by which the social  
3 and economic impacts of such development can be assessed  
4 and indeed in a case such as the future of the native  
5 people of this region I think it is the only standard by  
6 which they can be assessed.

7                   It is not easy to devise such  
8 standards, mainly because it is not easy for any group  
9 to analyze its own situation, identify its needs and  
10 wants, and chart out a course for the future. Above all,  
11 it is not easy for people to articulate these things  
12 collectively. But it is possible, and one of the  
13 fundamental requirements for it is a sound information  
14 base which is readily understandable to the people who  
15 will bear the brunt of the impact. I think the only way  
16 people can properly assess what the developments proposed  
17 for the Western Arctic are going to mean for their  
18 future is to look at the long-term progression and the  
19 cumulative impact of all of them.

20                   What the people really need to :  
21 know is what a mature oil and gas basin looks like,  
22 what the cumulative impact of exploration, development  
23 and production will be, what the impact of seismic ac-  
24 tivity in total will be, what sort of network of feeder  
25 lines and production facilities there will be, what the  
26 likelihood and the impact of both catastrophic and  
27 chronic environmental pollution will be, and what the  
28 social and economic impact of such development activity,  
29 transport links, and the presence of large numbers of  
30 outsiders will be. There is good reason to suppose





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1 that there will be major environmental and social  
2 effects of these developments over the life of the pro-  
3 ducing fields. Yet it is exactly these integrated  
4 projections and impacts which have never been the subject  
5 of any serious industry or government study, and which  
6 both have failed to discuss with the people of the  
7 Western Arctic.

8 As a final point, I think we  
9 have documented a clear discrepancy between stated  
10 government policy objectives and actual performance.  
11 We have done this not simply to criticize the government  
12 or to suggest any malevolent intentions. The demonstrable  
13 result is a lack of faith by native people in the  
14 institutions having substantial control over their lives,  
15 and this has been expressed to this Commission in commun-  
16 ity hearings. That is a very substantial social impact,  
17 which has been considerably heightened by recent con-  
18 flicts over land use and related problems caused by indus-  
19 trial development in this region. That is the social  
20 and political climate in which terms and conditions for  
21 development must now be worked out and implemented. We  
22 have presented these case studies and our conclusions  
23 based on them as essential background for the recommenda-  
24 tions COPE will make for ameliorating this situation,  
25 which will be presented later in this Inquiry.

26 MR. BAYLY: Could we now turn,  
27 Mr. Commissioner, to the submission of Nellie Cournoyea,  
28 a submission to the panel on "Consultation and  
29 Assessment".

WITNESS COURNOYEA: Thank you.



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1 I assure you I'll be somewhat  
2 shorter than Peter Usher.

3 The Berger Pipeline Inquiry,  
4 as we understand it, is of major importance to the  
5 Inuit of the Western Arctic. It is supported by the  
6 native people, and they have trust and faith in this  
7 process. This Inquiry is considered unique in the  
8 history of government intervention in the north. It is  
9 supported for many reasons, some difficult to express.  
10 For the first time this Inquiry sets out a legal forum  
11 to finally bring together the past and present as it  
12 relates to the future survival of the Inuvialuit in the  
13 face of massive petroleum development. We approve of  
14 this Inquiry's terms of reference to hear evidence, not  
15 only on the actual gas pipeline, but also to listen to  
16 the evidence as it relates to the location of the gas  
17 fields, on and offshore drilling, and the gas  
18 processing plants. These broad terms of reference are  
19 reasonable since we <sup>will</sup> have to live with the end product in  
20 its entirety, not just a pipeline.

21 It is on this basis that COPE  
22 (the Committee for Original People's Entitlement) made  
23 the decision to take part in this Inquiry, and Mr.  
24 Berger, it is one of the main reasons that COPE was  
25 organized in 1969, because of these problems. We were  
26 trying to deal with a very fast pace of setting of  
27 priorities and introduction of individual programs that  
28 would come to this land of the Western Arctic and would  
29 directly affect the Inuit that live there. With your  
30 Inquiry, we are not dealing as we have in the past



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1 with the two major forces changing our lives, government  
2 and the petroleum industry working hand in hand.

3 It is our misfortune that DINA, the department that  
4 represents the government's responsibility for the  
5 people, is also a participant in and supporter of  
6 petroleum development.

7                               These gigantic forces put  
8 together make Inuvialuit hopes look very small. Our  
9 interests look even smaller when the Department of  
10 Indian Affairs & Northern Development also answers to  
11 the big stick called "the national interest". There are  
12 no real checks and balances in the decision-making  
13 processes affecting our lives. When the government and  
14 industry speak of tradeoffs, they are in fact saying  
15 they will take or destroy what we have in return for  
16 things we don't want, or things that have proven in the  
17 past to have negative value to us.

18                               Since the first seismic was  
19 done 20 years ago in the delta, Inuit have watched with  
20 curiosity. Questions brought forth about the programs  
21 received no answers, as all decisions or non-decisions  
22 were made in a faraway place called Ottawa. There was  
23 no one who seemed to know what was going on. In later  
24 years when it seemed apparent that the exploration  
25 programs would not go away, and more and more cutlines  
26 were seen, native peoples began to press for some  
27 control and say about what went on in their land.





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1                   It was at this time  
2 that the consultation process began and what could have  
3 been a very meaningful thing became the biggest game  
4 in town -- becoming more slippery and sophisticated  
5 as the years went by.

6                   In contrast to this, the  
7 Berger Inquiry is looked upon as a means for native  
8 people to really be heard and really be listened to.  
9 Finally their voices, ideas and opinions and rights are  
10 to be reflected in the recommendations that are put  
11 forth before this massive project will bring enough  
12 "others" to give us one more handicap -- native people  
13 will be a minority people in their own land. All  
14 of the expectations we have of your Inquiry may be too  
15 much. We know that. However, we hope to finally get  
16 a total picture presented to see this land and its people  
17 and what they will have to endure in the future.

18                  Because it deals with  
19 the whole picture, the native people are relying on  
20 this Inquiry to fully listen to all the people. We feel  
21 comfortable because there is no real time constraint --  
22 well, we think there isn't -- and we feel you  
23 understand. The fact that we are dealing with one  
24 person who can be seen and will be accountable for the  
25 recommendations when they are put forth is a drastic  
26 change from the kinds of consultation we have experienced  
27 in the past. As for the past and present record of the  
28 government we never know or are sure with what or whom  
29 we are dealing with. After we have been consulted we  
30 usually wonder why the official or group came to consult



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1 us and what it was doing. The government's terms and  
2 references continually change. Confusion about their  
3 commitment to meaningful consultation, which we are  
4 speaking of now, has not changed. The government and  
5 petroleum industry are always seen in the role of selling  
6 something. If they listen, most times it is to use our  
7 words against us, or say we are wrong for the way we feel  
8 about the things we know. In the more recent consultations  
9 there are threats used. People are played against each  
10 other, community against community. This is often done  
11 by half truths or totally inaccurate information or  
12 misrepresentation. When the final nail is driven, no  
13 one seems to be accountable. There is always another  
14 department, government official, agent, sub-contractor  
15 who claims not to know the policy stated by their  
16 superiors or by the group who consulted with the people.

17 The information tours  
18 and consultations are carried out swiftly and most of  
19 the time their purpose and arrival is announced at the  
20 last minute. The Western Arctic has become so saturated  
21 with information, or mis-information. These endless  
22 meetings go nowhere causing frustration and anxiety  
23 to the point that native people do not know what to  
24 believe and are always left drained by having to react  
25 with incomplete information after the real decisions  
26 are made. The people say the same things over and over  
27 again. Consultation doesn't work because no one even  
28 listens to what we say. We know that priorities and  
29 policies are being shaped and set by the Department of  
30 Indian and Northern Affairs without our knowledge.



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1 This has been true in the past and we see no hope of  
2 a new policy.

3 It is important for you  
4 to consider this pattern of consultation and information,  
5 what it is being used for and what its effects are. It  
6 has caused the biggest <sup>social</sup> impact of hydrocarbon development  
7 to date. It makes native people face hostile rejection,  
8 daily suffering and insults to their intelligence and  
9 their traditions and leaves them feeling insecure,  
10 unworthy and dependent. Each time we are asked for  
11 our knowledge or opinion we build up our expectations  
12 that influence will be seen in the final outcome. We  
13 have fed our knowledge and experience into government  
14 agencies over game laws, town structure, housing,  
15 education, business or whatever, hoping to see  
16 meaningful decisions and planning. You can search and  
17 search but nowhere in the final outcome can you ever  
18 find our contribution used for our benefit. It has only  
19 been because of concerted political pressure that a very  
20 few projects such as training and employment of native  
21 people has taken place. And I would like to say in  
22 order to retain this, we have to keep the pressure on.

23 It was at the peak of  
24 native peoples' political influence that the then  
25 Minister of Indian Affairs and Northern Development  
26 Jean Chretien presented to the Canadian public his  
27 1972 Northern Policy Paper. We can find no examples  
28 of these policies being implemented or even influencing  
29 the routine administrative activities of his department.  
30 "Trade offs" still are made at every level of policy and





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1 administration.

2 In every trade off, native  
3 people still take all the risks and suffer the ultimate  
4 consequences and never stand to gain.

5 What we expect from the  
6 consultation and information process we engage in,  
7 is to have some say in how "trade offs" are made. It  
8 is very important for native people to be fully informed  
9 of the issues and their consequences. We want to know how  
10 long seismic programmes will last, how long construction  
11 of gas plants will last, how long drilling programmes  
12 on and offshore will last, how long the construction of  
13 the pipeline will last, and we want to know what the real  
14 cost and the real benefits are in the long term. These  
15 sale talks on employment for the children for the future  
16 as a result of the pipeline which are promoted as the  
17 salvation of our people, have to be closely scrutinized.  
18 The present system of checks and balances which control  
19 our land and our lives is not working and this causes  
20 severe anxiety to native peoples, personally, socially,  
21 economically and politically. The threats that are used  
22 by the government and industry to try to get the approval  
23 they want must cease. We must get away from dealing with  
24 side issues and piecemeal looks at development.

25 In conclusion, because  
26 the checks and balances in the control of our lives are  
27 nonexistent, the native peoples must realize their just  
28 claims legally, politically and economically before  
29 this major development proceeds. Otherwise, no matter  
30 what promises are made, we will only continue in the



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1 same pattern to the detriment and discouragement of  
2 native people.

3 MR. BAYLY: Mr. Commissioner,  
4 that completes the evidence of this panel and this panel  
5 is now available for cross-examination.

6 MR. GOUDGE: May I suggest to  
7 you that we begin with Mr. Hollingworth?

8 CROSS-EXAMINATION BY MR. HOLLINGWORTH:

9 Q Thank you, sir, my cross-  
10 examination won't be very long. It is my view that a  
11 good deal of this evidence is more proper to be brought  
12 in Phase 4 when COPE's other evidence is heard then and  
13 possibly even in argument.

14 MR. BAYLY: I take it that's  
15 not the first question.

16 MR. HOLLINGWORTH: I guess I  
17 should direct it at Mr. Bayly, if anyone, anyway.

18 Miss Allison, your paper  
19 appears to be a criticism of an experimental dumping  
20 program of oil that was carried out because of lack  
21 of consultation with the communities involved and possibly  
22 with COPE. Is that a fair assessment?

23 WITNESS ALLISON: Yes.

24 Q I'm a little puzzled about  
25 the article that you quote at the end that appeared in  
26 COPE's magazine and I'm afraid I can't pronounce that.  
27 Who was the author of that article?

28 A I don't know. It wasn't  
29 me. Things that appear in that magazine are passed by  
30



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the Board of Directors.

Q Well, perhaps you could clarify something for me that, as I understand it, you seem to be recommending that the process of independent assessment which you wanted to carry out on this experimental dumping programme should be carried, not only through construction proposals but also into research proposals. Is that a fair assessment?

A In certain research proposals.

Q Well, how do you decide which ones?

A Proposals that involve, as an example, dumping of oil or disturbance of the habitat or populations of animals disturbance studies, for instance.

Q Well, how is the proponent of such a research scheme supposed to know if he is meant to take it to you or not?

A I think that's pretty easy to decide. If you are doing a disturbance study or if you are doing an oil spill or if you are trying to experiment in ways of frightening animals or something like that.

Q So that it's -- as a general rule, its environmental concerns should be taken up with COPE then?

A Would you like to rephrase that?

Q You are saying that





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1 environmental that evolve from research proposals should  
2 be taken up with COPE? Socio-economic ones which?

3 A No, I'm not saying that  
4 and I think perhaps Nellie can answer that better than  
5 I can, since she is on the Board of Directors.

6 Q All right.

7 WITNESS COURNOYEA: The  
8 proposal put by the organization and many people from  
9 the communities on several different occasions was that  
10 whenever a research programme or whenever any kind of  
11 scientific research programme was to take place in the  
12 land and area mass that we are interested, that in terms  
13 of getting a licence to do that proposal so that we should  
14 be involved from that period, the beginning period before  
15 the licence is issued to proceed with the research  
16 proposal.



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Q Presumably you also want time prior to that licence being issued, but after your being advised of the proposal to get an independent assessment to see whether in your view it's warranted.

A Not necessarily, it would depend what the project was.

Q I see, and who would pronounce this independent assessment, if in fact it was done?

A Well, I suppose we'd have to take it one step further, if the land claims settlement was settled, we could finance it ourselves, we'd have to live with the results of it anyway.

Q All right, well let's talk about the time before land claims settlement.

A Sometimes you can get people; you can get it done without any expense. We have on several occasions had it done without people being paid -- interested biologists or people who have done studies before, so it depends really on how hard it is to get people who are knowledgeable in the same scientific field.

Q O.K.

A I'd like to say too that sometimes <sup>the</sup> people themselves have a great deal of knowledge about the land and the environment. The assessment can be done from that point as well.

Q Dr. Usher, if I could-- hope not do injustice on your paper on Banks Island, would it be fair to say that it's<sup>a</sup> history of activity



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by the oil and gas industry on the island in the last five or six years, making the point that the Bankslanders do not have veto power over those activities?

WITNESS USHER: Well, I don't know if that's all it's about, but it's certainly about that, yes.

Q Well, would you agree with me that that that's essentially the main point?

A I guess that's yes, fair enough.

Q And apart from the figures that you mentioned today -- and this wasn't in your written evidence -- you have no proof of what, or any evidence of what exploration has done in terms of hunting and fishing success?

A Excuse me, what did you mean by that, there's something not included in my evidence?

Q Well, sir, perhaps I can just find the -- yes, on page 32 after the first complete paragraph you inserted what appeared to me new evidence in that I didn't have it in my printed evidence.

A Page 32, yes.

Q That you had conducted some studies as to the -- now, I hope I have this right -- as to the amount of effort that had gone into the number of animals harvested, and that you could find no perceptible difference between the time prior to exploration and the time after exploration.

A Yes, for the first two years after exploration that was the conclusion of the





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1 report that I wrote in 1972, but in terms of effort/catch  
2 ratios alone there was no significant difference of any  
3 kind which would even suggest that there was an adverse  
4 effect.

5 Q I have the right evidence,  
6 don't I? That wasn't in your --

7 A Well, you may have an  
8 earlier version of that. There were some additional  
9 pages which were sent out about two months ago and I  
10 don't know, I <sup>perhaps</sup> don't have them.

11 Q I have a note that I  
12 I/received this on February  
13 9th.

14 A Oh. Well, I can't  
15 explain that. In any event this evidence has been out  
16 for some time.

17 Q All right. Now, you  
18 haven't said anything -- and maybe you could indicate--  
19 have any of the companies involved in exploration on  
20 Banks Island ever failed to meet the commitments they  
21 made?

22 A Failed to meet the commit-  
23 ments they made?

24 Q Yes.

25 A I understood that there  
26 have been such instances. I can't verify them myself  
27 in the sense of actually having observed, like been on  
28 an inspection team.

29 Q You have no direct knowledge.

30 A I have no direct knowledge  
of that, but I have understood that there have been



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1 instances, and I should say I don't know whether you  
2 would call it so much -- well, it's a bit of both, I  
3 guess -- failure either to live up to their commitments,  
4 or a failure of enforcement on the part of Indian  
5 Affairs.

6 Q Well, I'm certainly aware  
7 that you're critical of the Department of Indian &  
8 Northern Affairs, but I'm more concerned with your  
9 attitude as to the companies. Now what sort of breach  
10 of their commitments have you heard taking place?

11 A Cleanup failures.

12 Q To what extent?

13 A Failure to pick up certain  
14 things that were left around. Now in what volume, you  
15 know I don't know. I was told by, you know, if you want  
16 second-hand evidence, I've been told by some of the  
17 people who were involved in inspection that these things  
18 were not properly cleaned up. Now I couldn't tell you  
19 the actual volume.

20 Q You don't know what the  
21 items were?

22 A Oh, I think it's flagging  
23 stakes and possibly I'm not sure about seismic wire,  
24 garbage dumps and these things.

25 Q Other than that, you have  
26 no evidence to present on that particular point?

27 A That the companies have actually  
28 failed to live up to their commitments? Well, I may be  
29 forgetting something but I can't think of serious  
30 instances in which the companies have really failed to



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live up to --

Q No, your real quarrel is  
with the government, isn't it?

A Well, I suppose you could  
say that in a way. You know --

Q I thought you'd said it  
in this document, sir.

A Yes, well by comparison  
I would have to say that the record of the companies  
as I know it on Banks Island has been fairly good as  
a result of -- for the reasons that I mentioned in  
my testimony.

Q The reasons you cite on  
page 27, are they, "the<sup>political</sup> sensitivity of Banks Island, the  
existence of the Territorial Land Use Regulations, the  
vigilance and determination of the people of Sachs  
Harbour, and the express commitment by at least some company  
officials at the operations level to maintain good  
relations with the community?"





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1 A Yes, I think so.

2 Q Let me suggest another one  
3 to you sir.

4 A Yes.

5 Q What about a growing  
6 awareness generally of environmental issues and the  
7 importance of maintaining the enviroment as closely  
8 as possible in its present state?

9 A On the part of the  
10 companies?

11 Q Yes sir.

12 A I would certainly agree  
13 that there is an awareness of that. The problem in  
14 our experience -- that is, my own and what people  
15 have told me in the north and I think this came out  
16 at some community hearings as well, is that the good  
17 intentions -- and I don't doubt their sincerity at  
18 all -- expressed by corporate officials in Calagary,  
19 are not necessarily translated into action at the  
20 ground level, that is, by the individual cat skinner  
21 and by the individual jug hustler and I -- it seems  
22 to me that there some very difficult barriers. That's  
23 not due to a lack of good faith or anything, but I  
24 think there are some very serious problems in translating  
25 those good intentions into good results at the ground  
26 level.

27 Q All right, but don't  
28 you think that -- you say, at the beginning, it is in-  
29 arguable that industry's environmental record on Banks  
30 Island has shown a considerable improvement over earlier



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1 activity elsewhere. I put it to you sir, that apart  
2 from the reasons that you've listed, there's also the  
3 growing awareness in society generally and that includes  
4 corporations and corporate board rooms, of maintaining  
5 the environment, and preserving the environment.

6 A Well yes. I certainly  
7 agree that that awareness exists and I would agree that  
8 it has had some beneficial effects. Now, whether that's  
9 adequate is another question.

10 Q All right. Now let's go  
11 on to another point that you raised in that last  
12 answer. Isn't it an over-simplification to speak of  
13 the industry? Don't you have take an individual  
14 company on its individual merits, the same as you do  
15 with individuals?

16 A Well, yes, you could  
17 argue that to some extent, but I think --

18 Q Well, I don't want to  
19 argue. I just wondered what your view was?

20 A What my view is? Well,  
21 I would make certain to broad assertions about any  
22 group on the basis that, as any social scientist would,  
23 you know; you have to make some generalizations about  
24 categories of individuals or groups. If you could not  
25 make such generalizations there would be no sense in  
26 social science at all. Therefore, it is, I think,  
27 legitimate to talk about industry in some respects as  
28 a unit. Now obviously, different companies within  
29 the industry may have better tracks records than others.  
30 There's no question of that.



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Q All right. Can we turn  
to your document entitled "Assessment and Consultation  
Analysis and Conclusions"?

A Yes.

Q On page two of that  
document, the last sentence in the last complete  
paragraph says:

"There is, however, reason to believe that research  
papers having a confidential status were given  
to --"

there's the word again --

-- industry as a matter of course."

A Yes.

Q Now, perhaps you could  
tell me which research papers these were, which people  
in the industry they were given to and by which  
members of the government?

A Well, I can't answer  
all your questions because if I knew the answers to  
all of those, I would have been a little stronger in  
what I'd said. All I've said is, that I have reason  
to believe that.

Q Well, let's break it down  
then. What gives you reason to believe it?

A All right. I will look  
for that, if you will allow me. O.K. For one thing,  
Professor Dawson has suggested that in his book  
"The National Interest" and I again, as I say reason  
to believe, I am not making this as a flat assertion,  
It gave me reason to believe this. When I read the





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1 Regional Socio-Economic Impact Statement of Canadian  
2 Arctic Gas, I was quite surprised by the similarity  
3 in wording of certain passages and I do not have both  
4 documents with me now, but at the time, I was quite  
5 surprised at that. The document that I had written  
6 for the government when I was still employed by them,  
7 which was part of the Environmental Social Committee's  
8 research sponsored by the Environmental Social Committee,  
9 which was confidential at the time, retained its  
10 confidential status to my knowledge until long after  
11 the application was filed.

12 I may have other reasons for  
13 believing that, which I can't recall now, but that's  
14 immediately my recollection for why I said that.

15 Q All right. Any other  
16 members of industry that you can name besides Arctic  
17 Gas?

18 A No, perhaps -- no. Well  
19 no, no I can't. I won't speculate but I --

20 Q All right.

21 A -- In fact, I cannot  
22 mention any other names that I have any possible  
23 reason to believe that about.

24 Q Then on the first paragraph  
25 on that page you say:

26 "In the case --"

27 This is the second sentence.

28 "In the case of a large project such as the pipeline  
29 or the gas gathering and production facilities,  
30 information is given only at the late stages of



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planning."

I assume you mean from that, information to the communities and the people living the area involved?

A Yes.

Q So it's your evidence that information of the -- on the pipeline proposal was given only in the late stages of planning?

A Detailed information as to what it actually was and what some of its potential impacts were. I mean, people knew that a pipeline would -- I mean, that's been known in the region for a long time, but I don't class that as communicating any serious information.

Q Well, do you mean to say then that information of, say an engineering nature was not given out as soon as it was known to the applicant?

A What do you mean "as soon as was known to the applicant"?

Q Well --

A You mean that -- are you suggesting that <sup>the</sup> applicant continuously --

Q O.K. let's just go back a minute. The concept of a pipeline is dreamed up by somebody.

A Right.

Q -- and put abroad, but the proponent has to get some designs done, before he himself knows what the details are going to be.



Usher, Noble, Allison, Cournoyea  
Cross-Exam by Hollingworth

A Yes, that's true.

Q Now you're critical of the community at large, not having details. Right?

A Yes.

Q Because they knew about the general concept, didn't they?

A Well, you mean did the people in the communities know about the general concept of a pipeline?

Q Yes.

A Well, only in the sense that it was, you know, the word "pipeline" -- what I am trying to get at, I'm not sure where it is later on in this is that you know, if you go into a small community in the south and say, "Look, we're planning to build a pipeline." I think the average southerner has some conception about what that's all about and that is a real form of communication to him. But if you go into a small community in the north, I don't think that's a real form of communication because obviously there are a whole number of assumptions about what a pipeline is which native northerners apparently do not share, if I could suggest to you one example. Although there was a government information program on the pipeline that ran, as I recall, for at least two years, when the COPE Information Team went to the small communities in the fall of 1974 I would say it was an almost universal misunderstanding on the part of every person that we visited that a gas pipeline was something you could ride your skidoo up to and turn the tap on. Now I





Usher, Noble, Allison, Cournoyea  
Cross-Exam by Hollingworth

suggest to you that there's some very serious misunderstandings here of a kind that would not have been typical in a southern community, and I give that as only one small example.

Q Well, I'm not so sure your analogy to a southern community is necessarily valid, but --

A It may not be but --

Q -- let's just go back a minute. You're calling for detail <sup>to</sup> be given at the community level.

A Yes.

Q You're not disputing that the general concept was broadcast around the Mackenzie area early on, are you?

A In that people were told that a pipeline could be built. Now, that I think to a lot of people is not even a concept, it's a word that has virtually no meaning.

Q Well sir, at that stage what could a proponent tell <sup>them</sup> if they didn't have any details?

A Well, surely a proponent knew something that they could have explained to people what in fact natural gas was. it was known for some time that the gas -- the pipeline would be buried, I suspect, <sup>it was</sup> known -- you know, there are a number of general things about the pipeline in its gross design which surely have been known for some time, and it seems to me that these have not been -- were not



communicated to people in the region either by the industry or the government.

Q Well, I suggest they were during the period 1970 to 1972 by the Gas Arctic System Study Group. Are you aware of the visits they made to the communities?

A Yes, I am. All I can tell you is that apparently their visits made very little impression, or communicated very little serious information. I'm not saying they were somehow wrong or malevolent in doing it. All I am telling you is the objective results of what happened. There was also a government information program in addition to the industry.

Q You will agree with me, won't you, that at that time that little was known about the design of the pipeline, merely the concept of it. Right? By the proponent itself.

MR. BAYLY: Mr. Commissioner, I'm not sure that this is a question this witness can answer. He's being asked what the company knew about the pipeline, perhaps if Mr. Hollingworth could ask him what he knew or what he thought was in the public domain at that time that would be something he could address himself to.

MR. HOLLINGWORTH: Well, let him take it as a given.

A You're asking me to what?

Q Take it as a given that  
proponent  
details of design weren't known by the Gas Arctic Systems



Usher, Noble, Allison, Cournoyea  
Cross-Exam by Hollingworth

at that time. All right?

A I'm sorry, I didn't follow you.

Q In 1970 to 1972 Gas Arctic Systems was advising people in the communities of which you're concerned about the concept of a natural gas pipeline. All right?

A M-hm.

Q And at that time they did not have design details themselves. Will you accept that as a given?

A Depends what you mean by "design details". Are you telling me that they didn't know that it would be a chilled buried gas pipeline?

Q Oh, I think that was known and I think that was given to the communities.

A Well, I just suggested to you that apparently they didn't understand that .

Q Well, let me also tell you that during those visits models, papier mache models were shown of pipelines underground, of compressor stations, of drilling rigs, and of natural gas actually burning through a nozzle.

A M-hm.

Q Now, doesn't that strike you as a kind of demonstration that would put the concept across quite well?

A It suggests to me that an attempt was made to do that although -- all I'm saying is that it doesn't seem to have been successful. I





Usher, Noble, Allison, Cournoyea  
Cross-Exam by Hollingworth

I think that Nellie Cournoyea would like to say something about that, unless you want to pursue it with me a bit further.

Q No, I'm quite content to hear from Mrs. Cournoyea.

WITNESS COURNOYEA: Well, I was -- when you asked the first question of Peter Usher and wanting to be judged individually. It's fine, you know, for people to ask people to be judged individually because we've been asked that for a number of years on several projects by several companies and several government departments, and the normal question is, "Please judge me individually because I have just come. What I have to offer you is not as bad as in the past, and it's going to be better." And it hasn't changed and it's hard for us to judge Foothills or Canadian Arctic Gas or someone else individually because it always seems that when you pass by, somebody else comes and wants an individual assessment of what they are going to do, and we face the same thing in the development in the Mackenzie Delta. I would like to say that there are occasions that the infractions on the rules and regulations on Banks Island, and I can get you those statistics as to dates; but Elf Oil, one of the reasons they wanted to move their rologons across the Banks Island -- on Banks Island was because they couldn't meet their commitment and they started to move those rologons until they were stopped, and they would have done so and Deminex operated in a Bird Sanctuary on the southern end of a Bird Sanctuary for a time before the Canadian Wildlife



Usher, Noble, Allison, Cournoyea  
Cross-Exam by Hollingworth

Service knew that they had operated and it was kind of late because they just didn't have the personnel, and the problems are in cleanup because they can't meet the commitment because the season is too short. They say it's too short and they have to do some work in the summer. From my own judgment in dealing with the companies every year is the rules and regulations are sort of stretched, and this is what we have to deal with, and your questions to Peter about people knowing about the pipeline, I believe the Study Group that was in the Arctic between '70 and '72, which was Gemini North, as I understand, I don't know if Panarctic or Canadian Arctic Gas intends to call that evidence, but I would venture to say that it's very poor.



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

1 It was done poorly and  
2 the consultation to people was done in a poor fashion  
3 and I don't know if even Arctic Gas is going to stand  
4 by that documentation. It wasn't until the last part of  
5 that presentation that this little module was put up and  
6 it wasn't until the final months of that presentation  
7 it was put up in Inuvik and Fort McPherson and apparently  
8 it came quite late in the season and other communities  
9 and people weren't in town to look at the module but  
10 that is the first time people knew that the gas was  
11 vaporized and we had to spend at least 6 months finding  
12 an Inuktitut word to try to describe it.

So it's easy for you  
to try to ask specific questions but if you try to  
operate at the level of people's understanding it is  
very difficult.

Q Well, if I can just  
run over those comments. In the first place, dealing  
with industry as individuals might be difficult for  
you and it might be difficult for some of the individuals  
you represent. I suggest it is not too difficult for  
Dr. Usher to do and that's what I was asking him to do.

1 3 A But you have to understand  
24 that Dr. Usher is employed by us as a consultant and  
25 he is not there all the time. We have to deal with the  
26 problem; we are there all the time. He is only there  
27 and he bases his work on the times, he has been there and  
28 the information he is given.

Q What percentage of the time is he away?





Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

1 A Well, I think you can  
2 tell by his documents.

3 Q Dealing with another  
4 point that you raised, I was discussing the Gas Arctic  
5 Consulting System and that is unrelated to the Gemini  
6 North?

7 A Wasn't Gemini North  
8 employed by Canadian Arctic Gas? I was under the  
9 impression --

10 Q Employed by Canadian  
11 Arctic Gas, yes, I'm not sure when. Perhaps Mr. Carter  
12 could speak to that later.

13 MR. BAYLY: I think we have  
14 an example of confusion at the level at which we are  
15 dealing --

16 THE COMMISSIONER: Gas Arctic  
17 and Arctic Gas are totally different entities, I  
18 understand.

19 MR. HOLLINGWORTH: No, Gas  
20 Arctic Systems was one of the original proponents  
21 that merged into Canadian Arctic Gas.

22 THE COMMISSIONER: That was  
23 yours, wasn't it?

24 MR. HOLLINGWORTH: Yes, it was.

25 MR. CARTER: Sir, it is my  
26 understanding that Gemini North were retained by Gas  
27 Arctic Systems initially and their contract was  
28 continued after the merger.

29 MR. HOLLINGWORTH: Well, I  
30 understand that that's correct -- that they were not  
part of the original group that went out on an



Noble, Usher, Allison, Cournoyer  
Cross-Exam by Hollingworth

1 informative basis as we have been discussing with  
2 Dr. Usher.

3 Now, Dr. Usher, if we  
4 can get back to your paper, if Mr. Bayly will permit  
5 me. In the second paragraph on page 2, you say in the  
6 second sentence,

7 "Although the development of the Mackenzie  
8 Beaufort Basin began effectively in 1960  
9 when it was open for exploration no serious  
10 environmental or social impact assessment  
11 was initiated by either government or  
12 industry until the early 1970's."

13 Now, what do you mean the development began effectively  
14 in 1960?

15 WITNESS USHER: Well, it seems  
16 to me that once the government opened that area for  
17 permits they were saying, "Okay, go ahead, we want the  
18 area developed." That's a policy decision on the part  
19 of the Federal Government.

20 Q But was work, in fact,  
21 carried out in the early sixties?

22 A No, but obviously the  
23 intention was there.

24 Q In fact, very little was  
25 carried out until after the Prudhoe discovery in 1968?

26 A That's true.

27 Q And you are saying that  
28 the environmental and social studies should have been  
29 prior to that -- prior to the time when the industry  
30 knew that there might even be anything up there?



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

1  
2 A No, hold on a minute. I  
3 said before that you can't -- you know, it is somewhat  
4 easy with hindsight to say what should have happened and  
5 I'm aware that attitudes toward environmental and  
6 social impact are not the same now as they were -- or  
7 they werenot the same in 1960 as they are now.

8 What I am suggesting is  
9 that a policy decision was made by the Federal Government  
10 in 1960 to open this area up for development and at  
11 the time one of the reasons for that, I think, if you  
12 look at Federal Government statements, was that that was  
13 supposed to have some local benefit and I'd in a sense,  
14 really not -- rather not go into that now because I  
15 expect to lead some evidence in that regard later on.  
16 But I would suggest that there was really quite an  
17 inadequate assessment at the time of what that benefit  
18 would be and it was based on what I would consider to  
19 be a number of incorrect assumptions.

20 Q Well, I would just like  
21 your answer to one question. Do you agree with me  
22 that not much activity took place until 1968 and later  
23 after the Prudhoe discovery by industry?

24 A You mean north of 70?

25 Q In the Mackenzie Delta  
26 district. Let's restrict it to that.

27 A Well, no, there was  
28 quite a bit of seismic work done on the mainland before  
29 1968.

30 Q But didn't the pace  
really pick up after 1968?





Noble, Usher, Allison, Cournoyer  
Cross-Exam by Hollingworth

A Oh, no question about it.

Q No question at all.

A No.

Q Now, you are still saying that industry had a responsibility to carry out environmental and social impact assessments prior to that time? Is that your evidence? I'm not talking about government. I'm talking about industry.

A You are talking about industry. I'm not a hundred percent sure in my own mind what the apportioning of responsibility for these types of things should be as a matter of principle between industry and government. In other words, if you were to say to me, well, when it comes to impact studies, who is really responsible for these? Is it government or industry and I must admit I'm not -- there's a lot of pros and cons there, and I'm not sure where I'd apportion responsibility personally in my own opinion. I'm not saying what other people might think.

Therefore, I don't know that I'm really trying to apportion blame then. I'm simply documenting a situation. That's the way it was.

Q Well, I just want to know what your view is.

A What my view is?

Q Yes.

A What my view -- be more specific. My view on what.

Q Do you feel that industry had an obligation to undertake environmental and socio-



Hoble, Usher, Allison, Cournoyer  
Cross-Exam by Hollingworth

economic studies prior to a real pick-up in activity  
that took place in 1968 and afterward?

A It is very difficult to  
interpret somebody's responsibility in the past of what  
we know now. I mean I'm not really interested in  
apportioning blame. I don't see that that's the point  
of what I have said.

Q I'm not trying to  
apportion blame. I just wanted to know your philosophy  
on this point. It is of some importance to me.

MR. BAYLY: Mr. Commissioner,  
I think we have had an answer to this and that appears  
to have been that Dr. Usher hasn't made up his own mind  
of how you would apportion the responsibility for doing  
these studies. Now, it may be that Mr. Hollingworth  
would like him to give a tentative number or ratio or  
to follow it up in that way but he has received that  
answer to this question in the first instance and he's  
asked it again and Dr. Usher didn't seem to be able  
to go any farther.



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

MR. HOLLINGWORTH: But he did say as part of his answer that he didn't want to apportion the blame and I wanted to point out to him that I wasn't trying to get him to apportion the blame. But that's beside the point. <sup>If</sup> that's as far as his answer can go, that's as far as it can go and I'm going to end with it.

Now, as I understand it, the Committee of Original People's Entitlement was formed in 1970, is that correct?

A Yes.

Q Has it received funding from the government since that time?

A I think those should be directed to Nellie Cournoyea, those questions.

WITNESS COURNOYEA: It received funding in the last two years.

Q The last two years. So that 1974 was the first year?

A Yes.

Q When in 1974 did it receive the funding?

A I believe it was January or February, I'm not quite sure.

Q Early in 1974, so that was just prior to the application of Canadian Arctic Gas being filed.

A Right.

Q I see.

A I'd like to -- if you





Hollie, Usher, Allison, Courtney  
Cross-Exam by Hollingworth

1 don't mind, answer one question that you handed to Peter  
2 Usher because I have an opinion on that one? In 1967,  
3 '68, '69 and I believe '66, Elf Oil had a major opera-  
4 tion in the Anderson River area and as well, Shell Oil  
5 had a major operation just south of Fort McPherson  
6 towards Arctic Red and up into the mountains.

7 THE COMMISSIONER: Who was the  
8 corporate person?

9 A Shell Oil.

10 Q Shell.

11 A I believe it would have  
12 been of big significance if a major company had indeed  
13 looked at the situation and I don't think we would have  
14 been faced with the kind of seismic lines that have  
15 been cut throughout that area. I don't believe that  
16 Elf at that time, nor Shell at that time, had thought to  
17 think that there was any reason to worry about the  
18 environment because people really weren't concerned --  
19 they were concerned, but I mean they weren't aware  
20 really of what was going on because the seismic permits  
21 were issued from Ottawa and they didn't move into the  
22 Northwest Territories until 1970, if I've got that  
23 date right. It wasn't -- unless there was a lot of  
24 pressure put on to have that part of the government  
25 operation moved into the north, because of the garbage  
26 dump that was left at Anderson River, and because of  
27 the seismic lines that were being cut in the delta.

28 But none of that information  
29 was available to us and when we tried to get it, it  
30 was always someplace else. So I think that environmentally,



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

1 the industries that were involved should have looked  
2 into the environmental impacts at the beginning because  
3 I realize that most people don't understand that native  
4 people live up there, or anybody lives up there when they  
5 first come.

6 So, we accept that but in the  
7 meantime, I think the environmental concerns could have  
8 been looked at more closely before they started to  
9 operate.

10 Q Well, I'm not an  
11 apologist for Elf and even less so for Shell, but maybe  
12 you could tell me what their operations were. You just  
13 raised my curiosity?

14 A On Anderson River, they  
15 had quite a large operation for seismic work.

16 Q Excuse me, this is Elf  
17 is it?

18 A Yes.

19 Q Yes.

20 A And Shell Oil was doing  
21 the same thing. They carried on. I think Shell just  
22 closed down their program in Fort McPherson last fall.

23 Q O.K. Dr. Usher, if you  
24 could turn to page six of that same paper, the second  
25 complete sentence says:

26 "We have heard in evidence that industry would not  
27 willingly keep its --"  
28 talking about high sulphur gas --

29 "--in the ground because it posed an environmental  
30 hazard."



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

1 Who gave that in evidence? Do you mean before this  
2 Inquiry?

3 WITNESS USHER: Yes. I think  
4 I would have to check the reference, because I mean,  
5 I don't have the transcript right here, but I seem to  
6 recall that was given by -- in the delta phase. At  
7 an early stage in the delta phase, I think that question  
8 was raised and I'll have to check the transcripts.

9 Q Was it given by an industry  
10 spokesman?

11 A Yes, to my recollection.

12 Q Well, I wish you would  
13 check it sir, because my knowledge of the industry  
14 would indicate that that would be totally wrong.

15 A Well, I suppose that can  
16 be checked, yes.

17 Q In fact, there are  
18 several capped wells and right in the city limits of  
19 Calgary that are kept capped, because there is sour  
20 gas in those wells.

21 MR. BAYLY: Mr. Commissioner,  
22 I'd be happy to undertake to check that. I do believe  
23 it was the policy panel of the delta producers that gave  
24 that evidence in Inuvik, but I'll check that out.

25 MR. HOLLINGWORTH: All right.<sup>^</sup>I  
26 take it that you know nothing about geological formations  
27 and what formations are likely to produce sour gas and  
28 what ones are not?

29 A No, and I certainly wouldn't  
30 make any speculations in that regard.





Noble, Usher, Allison, Cournoyea  
Cross-Exam by Hollingworth

Q I didn't think so.

Thanks very much. Those are my questions sir.

MR. GOUDGE: I suggest sir  
that we adjourn until tomorrow morning, perhaps until  
ten o'clock.

THE COMMISSIONER: Yes, I think  
we'll finish easily by noon tomorrow, so maybe we don't  
have to start until ten. So we'll adjourn till ten then.

(PROCEEDINGS ADJOURNED TO APRIL 9, 1976)

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MACKENZIE VALLEY PIPELINE INQUIRY

Government  
Publications

IN THE MATTER OF APPLICATIONS BY EACH OF  
(a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A  
RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS  
CROWN LANDS WITHIN THE YUKON TERRITORY AND  
THE NORTHWEST TERRITORIES, and  
(b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY  
THAT MIGHT BE GRANTED ACROSS CROWN LANDS  
WITHIN THE NORTHWEST TERRITORIES  
FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

Yellowknife, N.W.T.

April 9, 1976.

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PROCEEDINGS AT INQUIRY

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APPEARANCES:

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Mr. Stephen T. Goudge,  
Mr. Alick Ryder and  
Mr. Ian Roland for Mackenzie Valley Pipeline  
Inquiry;

Mr. Pierre Genest, Q.C.,  
Mr. Jack Marshall,  
Mr. Darryl Carter, and  
Mr. J.T. Steeves, for Canadian Arctic Gas Pipeline  
Limited;

Mr. Reginald Gibbs, Q.C.,  
Mr. Alan Hollingworth, and  
Mr. John W. Lutes, for Foothills Pipe Lines Ltd.;

Mr. Russell Anthony,  
Prof. Alastair Lucas and  
Mr. Garth Evans for Canadian Arctic Resources  
Committee;

Mr. Glen W. Bell and  
Mr. Gerry Sutton, for Northwest Territories  
Indian Brotherhood, and  
Metis Association of the  
Northwest Territories;

Mr. John Bayly and  
Miss Leslie Lane for Inuit Tapirisat of Canada,  
and The Committee for  
Original Peoples Entitle-  
ment;

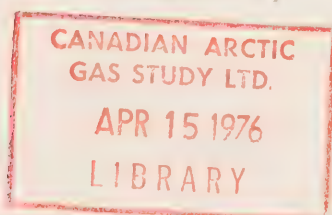
Mr. Ron Veale and  
Mr. Allen Lueck for The Council for the Yukon  
Indians;

Mr. Carson H. Templeton, for Environment Protection  
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Mr. David Reesor, for Northwest Territories  
Association of Municipali-  
ties;

Mr. Murray Sigler, for Northwest Territories  
Chamber of Commerce;

Mr. John Ballem, Q.C., for Producer Companies.





I N D E XPage

## WITNESSES FOR C.O.P.F.

Gaile NOBLE

Peter J. USHER

Lorraine ALLISON

Nellie J. COURNOYEA

- Resumed

21477

- Cross-Examination by Mr. Goudge

21480

EXHIBITS:

557 Pages 4 & 5 from Canadian Arctic Gas Report,  
 Section 14(C), Background Considerations with  
 marked passages similar to Usher report 21479



Yellowknife, N.W.T.

April 9, 1976.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. GOUDGE: I think Mr. Bayly has one or two preliminary matters, sir.

MR. BAYLY: Mr. Commissioner yesterday I undertook to Foothills to provide a transcript reference with regard to the policy of the delta producers with regard to gas that contains sulphur compounds in it, and the transcript reference is page 17455 56 and 57 and in answer to a question at 17455, "What is the position of your company" and this was addressed to Mr. Faulkner, and "perhaps you can't answer this, but do you know the position of your company with regard to what they will do if they find gas or gas and oil combined in which there is a high content of sulphur compounds?" Answer given on 17456 starting at line 16, "I think it's fair to say Mr. Bayly that our company certainly isn't going to walk away from gas or oil find just because there is H<sub>2</sub>S connected with it."

At line 29, "I think that if we find either sour gas or sour oil pools in the region that look to contain economical quantities of oil or gas, that it would be our intention to proceed with development plans and hope to gain approval for such plans".

I've made a photocopy of that which perhaps Mr. Ellwood would like to have to pass on to Mr. Hollingworth sir, with regard to a question or two that was answered yesterday Dr. Usher would like to expand briefly on the answer that he gave.





Noble, Usher, Allison, Cournoyea

GAILE NOBLE,  
PETER J. USHER,  
LORRAINE ALLISON,  
HILLIE J. COURNOYEA, resumed

WITNESS USHER:

A Yes, two points that were asked by Mr. Hollingworth yesterday. One had to do with the failure of the companies to live up to certain commitments on Banks Island and I failed to cite one particular instance yesterday, for the reason that I was a little confused as to what the enforcement situation was.

You have heard evidence in the community hearings, I believe, about the seismic wire left on Banks island, probably in the season of 1970-71 so far as can be established, and the reason I didn't cite that immediately yesterday is because the land use-- Territorial Land Use Regulations were not in force that time. However, I can cite to you now the provision of the schedule of operating conditions, oil and gas exploratory operations Banks Island, Northwest Territories which was in force in the 1970-71 season and I cite to you section ten, removal of buildings and equipment:

"The operator shall remove or otherwise dispose of all equipment, buildings, materials, refuse, garbage, debris and other waste in a manner approved by the inspector and within six months of being ordered to do so by the inspector."

I think it's reasonable to assume that there was implied there a commitment on the



Noble, Usher, Allison, Cournoyea

part of the company which apparently they did not fulfill.

So it's just a small point, but I thought I'd mention it.

The other had to do with the question that was asked of me when I suggested that I had reason to believe that certain confidential government documents had been passed on to industry, and I will be a little bit more specific about that.

If you look at what I think is section two of 14-C, the regional socio-economic statement of the gas producers, of Canadian Arctic Gas, on pages four and five, and I have marked these here and I will turn this in if -- is this appropriate John to turn this in as an exhibit or what?

MR. BAYLY: I think that's already filed Mr. Commissioner as an exhibit.

A Well, what I'm proposing to do here is to -- I have marked on these two pages what I consider to be remarkable similarities with a document and I have cited the page numbers, a document entitled "The Social and Economic Impact on Native Northerners of Short-Term Wage Employment", a document written by me when I was in the employ of the Department of Indian Affairs. It is contained in volume six of "A Regional Impact of a Northern Gas Pipeline". That's Environmental Social Committee Report, number 73-33.

When I wrote that document, I was told to put "confidential" on the top and as far as I know, it remained confidential. I inquired about it, but was never told that it had any status other than



Noble, Usher, Allison, Cournoyea

confidential until it was published approximately  
October 1974.

Q Perhaps Dr. Usher, you  
could provide page references to both and we could submit  
the --

A Yes, what I've done on  
this here is put a mark beside the passages I think are  
quite similar and put the page numbers of this document,  
if that --

THE COMMISSIONER: Well, the  
pages from Arctic Gas's volume 14-C are pages four  
and following, beginning "Background Considerations", is  
that it?

A Yes, particularly the  
section 2.1, "Historical Experience With Development".

(PAGES 4 AND 5 FROM CANADIAN ARCTIC GAS REPORT  
SECTION 14(C) BACKGROUND CONSIDERATIONS WITH  
MARKED PASSAGES SIMILAR TO USHER REPORT MARKED  
EXHIBIT 557)





Noble, Usher, Allison, Cournoyea  
Cross-Exam by Goudge

Q Well, apart from your point that there was unequal treatment with regard to the various interests involved, you are not concerned about your own work seeing the light of day, I take it.

A Oh no, I'm not concerned about that. I just -- I know that there were other parties to this Inquiry who would have been delighted to have access to this document.

Q I understand.

MR. BAYLY: I think that is all from yesterday, sir, if the others would wish to cross-examine.

MR. GOUDGE: Mr. Carter would be next, sir.

MR. CARTER: I have no questions of this panel, sir.

CROSS-EXAMINATION BY MR. GOUDGE:

Q Dr. Usher, let me begin with you if I may please. As I understand the thrust of your evidence it's basically to provide us with your view that the process of information, research, and consultation has been inadequate. Is that so?

WITNESS USHER: Yes.

Q And you identify in your final presentation to us yesterday, six basic areas where that process has displayed weaknesses -- the timing of consultation, the suppression and secrecy of information, the quality and completeness of information, the limited terms of reference for assessment, the institutional framework of consultation,



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1 and the lack of effective control at the local level.

2 Is that so?

3 A Yes.

4 Q And you see those as  
5 being the six major areas in which this consultation  
6 process has been weak --

7 A Yes.

8 Q -- or inadequate. I  
9 wonder if you could direct your mind to -- well, before  
10 I do that, I take it the corollary is that if the  
11 consultation process is in your view to be improved there  
12 must be changes in those six areas.

13 A Definitely.

14 Q And the six areas I would  
15 anticipate you to advocate the obvious kinds of change  
16 implicit in your testimony. For example, the first  
17 timing of consultation and assessment, you presumably  
18 advocate earlier consultation.

19 A I would.

20 Q Taking the six as a whole,  
21 would you be prepared to rank them in order of importance  
22 as to which areas have to be addressed first if one is  
23 to improve the consultation process?

24 A I think I would rather  
25 not do that at this time. I suggested at the end of  
26 this piece here that we would be submitting recommendations  
27 based on this analysis and I'm not sure what purpose  
28 it would do if I ranked those off the top of my head  
29 now, and then when COPE came back in argument to suggest  
30 what actually ought to be done as a result of this, we



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1 had a somewhat different set of priorities It's up  
2 to you, but I don't quite see the purpose of that.

3 Q Well, at some stage, we  
4 would like to have the opportunity to discuss with you  
5 through cross-examination this kind of question. I  
6 don't know whether Mr. Bayly would prefer that it be  
7 done later or that we do it now, but at some stage we  
8 would like to do that.

9 MR. BAYLY: I have no  
10 objection to Commission counsel doing that now if Dr.  
11 Usher is prepared to do a ranking now. If it is a  
12 question of it being off the top of his head, that may  
13 be a different matter.

14 MR. GOUDGE: Well, I take  
15 it just to tie up one other point, Dr. Usher, I take  
16 it, will be back in Phase 4. Yes.

17 A Yes, I could do it, you  
18 know, just in terms of my own opinion. It won't neces-  
19 sarily be what's submitted in final argument, and  
20 admittedly I hadn't thought until you asked me this  
21 right now what -- how I would rank them. But I would  
22 be quite willing to do that.

23 Q Why don't you give us  
24 what your present view is as to the relative importance  
25 of these areas of weakness?

26 A Let me review what they  
27 are first. You have them in a nice list. Mine are  
28 spread over several pages.

29 I think to really meet  
30 the concerns of native people, I guess I would have to





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1 rank the last one as the most important. In other words,  
2 something has to be done about the current lack of  
3 effective control at the local level, because all these  
4 other things, I fear, that if you do not do something  
5 about that. It's very difficult to measure progress in  
6 terms of, you know, how early things are submitted in  
7 terms of the problem of timing.

8                               The problem of secrecy  
9 and suppression of information. How do we measure  
10 improvement in this area? Quality and completeness of  
11 information. Again, you can -- there are possible a  
12 number of incremental improvements that could be made  
13 to this, all of which would be welcome, no doubt.  
14 Limited terms of reference for assessment. All right,  
15 you broaden them, but in a sense at the end there are  
16 still some hard political decisions to be made.

17                           I think, yes, the  
18 institutional framework of consultation and especially  
19 the lack of control at the local level, I would  
20 consider to be the most important because unfortunately  
21 too much of this stuff can be dressed up to look like  
22 participation and look like consultation, but in the  
23 end if people really don't have the effective control  
24 to say no to something which is crucially important to  
25 their welfare, then I don't know how effective these  
26 other things are.

27

28

29

30



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Q Yes, isn't it so that what you're really talking about is a change in the situs of decision making, bringing it to the local level?

A Yes, I think that's definitely implied.

Q It might be possible to change and improve the consultation process in the five areas that I listed first, but make no change in the effective control at the local level, and you would still remain dissatisfied?

A Or I think that the people involved might remain pretty dissatisfied, yes.

Q You would still view the consultation process as being inadequate?

A Well, it isn't only a process of consultation. It's also a process of decision making. We could have a quite adequate process of consultation in which everybody really had all the information at their disposal and really made informed decisions, and yet the evidence that was brought to bear on the subject had little or no relation to the final decision that was made. So, yes you could improve the consultation process. I could be quite satisfied with the consultation process and say "as far as that goes, yes that's quite good", but we're still having problems with the decision making process. Who's ultimately responsible for making these decisions?

Q I take it your view would be that no matter what improvements you make in the consultation process, the entire package



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remains inadequate unless there's a change in effective control.

A I would think so. I mean, one would hope that improved consultation would lead to improved decision making, but I don't think we have any historical evidence that that always works. So, without that, I'd have to say that it was inadequate.

0 Now, one of the items that you refer to as being an integral part of the consultation process is the impact assessment. Is that so?

A Yes.

Q I take it the reason for that is that an impact assessment of a project provides all relevant parties, government, the local people and industry with data to base their discussions on?

A Yes.

Q I take it it would be your view that any major development should be subject to this kind of impact assessment?

A Yes.

Q You raise a couple of problems with them, one on page 15 of your final paper where you refer to the difficulty of conducting an impact assessment of an evolving project. I take it you see that as a technical problem relating to the art of impact assessment?

A Yes, just a moment because I refer to it again later in this document and let me check both against each other before I answer that in





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detail if I may.

Q I think you refer to it  
again at page 17.

A Page 17. Page 15 and page  
17. Now, I'm sorry, I've lost your question.

Q Well, the question is  
basically this and I think I'd like you to amplify on  
what I see perhaps as your answer on page 17. The  
question simply is, how can you go about, in your view,  
making an impact assessment of an evolving project if  
you propose to do it before the project has ceased  
evolving?

A Well, it seems to me that  
at a very early stage, all one has to do is make the  
proposal and I take this as an example. Somebody says,  
"I propose we build a chilled buried gas pipeline up  
the Mackenzie River". Now, I think it is possible  
to foresee certain gross impacts, both environmental  
and social, as soon as one has made that statement  
without any further specification of the details of the  
project.

No one can be sure that those  
impacts are definite, but I think we all know enough  
about these things to say "These are some of the  
probable things that could happen". I think at that  
very early stage, once that very simple straight-forward  
statement proposal has been made, that it would be  
possible to go into the communities for example, and  
provide people there with real, hard information about  
what this project means, what it's likely impacts are --



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not ballyhoo , but real reasonable speculation about what would happen. I think once that sort of gross outline of what it would mean had been communicated properly to those concerned, then they could start saying right away, "Well look, you know, we're quite concerned about these certain aspects and maybe you guys ought to really study those quite a bit further," rather than having it all come on at the end.

I don't see the problem with that and I think that as your proposal becomes more specific, as you start saying "We want to cross this river at this point. We want to use this particular construction design. We know that it's going to mean this amount of transportation or whatever," that you can then do your impact assessment concurrently, right from the beginning.

Q There's no doubt though that the impact assessment gains much more specificity, and can only gain much more specificity as the project itself gains definition?

A Certainly.

Q So that in the beginning, any impact assessment is going to be, at the best, vague.

A Well, yes, vague in its specifics, but I think in its generality -- I could think of some examples. It seems to me that there are certain -- well, we know what -- there are certain predictable impacts, I think, in large measure of having thousands of transient workers come into an area where there are very few people. Now, it doesn't matter what



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1 the specific nature of the construction project is if  
2 you are going to have that many workers coming in, then  
3 there  
4 I think that are certain predictable or possible  
5 predictable affects. You can say certain things are  
6 likely to happen unless, right now, you start thinking  
7 about taking other measures. The details of the project  
8 are not going to affect that.

9 Q Yes. A second problem  
10 that you raise in connection with this device, is the  
11 inherent bias that exists on the part of the doer of  
12 the assessment. Is that correct?

13 A Yes.

14 Q Your view is that you can't  
15 do an impact assessment without built-in biases?

16 A Yes.

17 Q Let me see if I understand  
18 your conclusion from that. You say that unless those  
19 who deal with the impact assessment who must deal with  
20 the impact assessment, all concur in the biases of the  
21 doer of the assessment, its usefulness will be, to  
22 some degree, negated?





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A Yes.

Q That, if you are right, poses, I take it, a very difficult problem in finding acceptable assessors. Is that so?

A Yes, I think it does.

Q Do you have any suggestions as to, in this kind of context where -- the kind of context that we deal with in the north, one can look for acceptable assessors in your view?

A Well, I think that the process that has been entrained by this Inquiry is in my view a step in the right direction toward that, because it has meant that the affected parties can all do their own assessment.

Q So you would see a kind of -- if impact assessments are to be done in the future in connection with development as you say should be the case, you would see forms to be provided that permit all affected participants the ability to do their own assessment?

A Yes, I think they would -- I think they would have to, really. You see, the problem with this thing of values, if I -- even if I could give an example of something that I once saw in connection with the Cape Bathurst moratorium, it's not only a difference in perception of the values involved but even what the problem is, and I would cite this small example of -- the question was raised there of what would the impact be on the caribou of seismic exploration. The wildlife assessment of that was that well, really it



Helle, Delger, Ellerton, Goudge  
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would be very minimal because most of the animals in the Bathurst Peninsula were part of a herd that went away and so it wouldn't matter very much.

Now, in terms of herd management, if that were your objective, that's an entirely valid conclusion, but if you happen to be a person who was living at Cape Bathurst and relying for your winter source of food on those animals which stay in the area, then, it does not make sense at all. So even the basic understanding of the problem can be very, very different. That's not a matter of malevolence or bad intention or anything like that, but I don't think you can even sometimes begin to identify what the problems really are if you don't have that kind of input right at the beginning.

The other aspect of it I think is that, and here is where the political decision making thing is important because even if you agree on the terms of reference, somebody in the end has to decide what is acceptable to whom and we hear very often of, you know, phrases like "acceptable risk". You know, what is an "acceptable risk" in the Beaufort Sea, for example, and I put it to you that what a guy in an office in Calgary finds acceptable is a lot different than a guy who has to make his living out of there.

Now, how do you get that into an impact assessment? Now, that in the end is a political decision, it seems to me.

Q Well, what you are saying is to take an example such as that, an impact assessment can be mutually acceptable only if the assessor



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Cross-Exam by Goudge

1 has a mutually acceptable definition of that kind of  
2 term?

3 A Well, yes to some  
4 extent. I think what can be mutually acceptable is  
5 that the subjects of concern have been properly laid  
6 out and that everybody agrees that these in fact are  
7 concerns. Because some people, some parties might  
8 feel that what one assessment<sup>group</sup> says is a major concern,  
9 is in fact of very little concern to them at all. So  
10 the first thing that would have -- I'm sort of thinking  
11 along here. It occurs to me now, it's perhaps a  
12 somewhat more appropriate answer to your question is  
13 not only should all the individual parties do their  
14 own assessments. That, in fact, politically may be  
15 the only way out. I think in an ideal sense it would  
16 be nice to suppose that you could have a system where  
17 all the parties could, in a sense even jointly, identify  
18 what had to be done.

19 I mean, obviously there  
20 is some duplication of research that goes on and it may  
21 be that politically that's an unavoidable problem, but  
22 I think that right at the start of an impact assessment,  
23 in an ideal sense, the various affected parties could  
24 get together and say, "well, look, these in fact are  
25 the problems that have to be studied. Don't waste  
26 your time with that one because we think this one is  
27 important.

28 Q And unless there can  
29 be agreement you say the impact assessment process won't  
30 work?





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Cross Exam by Goudge

A Sorry.

Q Unless there is agreement at the beginning on the identification of problems to be studied, the impact assessment process won't work?

A Yes.

Q That sets a very tall order for impact assessments to fill right at the beginning of their existence, doesn't it?

A Yes, it does. That may be why you have to wind up doing them separately. I think on the other hand there is the -- there are certain -- well, base data and very hard information that could be collected and presumably shared although I don't know. It is obvious to me from reading the number of the various impact statements, that even when you get down to so-called hard data, not everybody is agreed on what the hard data even is, especially in the socio-economic side.

Q You have no other suggestion as to how impact assessments might get off the ground in a way that will yield a mutually acceptable result, except to have the participants in the beginning agree on the problems to be studied?

A Well, it might be beneficial if they at least got together at the beginning and said, "look, you know, what has to be studied" and they might agree to disagree in the end, but maybe they would find some ground for cooperation.

Q Now, at the end of your third paper, in the last paragraph, you refer to what I take to be your view as to the major consequence of this



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Goudge

1 inadequate consultation process that you and your  
2 colleagues have described, when you say that the  
3 demonstrable result has been a lack of faith by native  
4 people in the institutions having substantial control  
5 over their lives. Am I correct in reading that as  
6 the major effect you see coming from this inadequate  
7 consultation process?

8 A Yes, I think that's  
9 correct.

10 Q And do you see that as  
11 what I might call a social impact?  
12  
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A Oh, very definitely.

Q I take it your reason  
for seeing that as actually having occurred in practice  
is in large part, at least, the kinds of submissions  
that have been given to this Inquiry in the communities  
in the north?

A Yes.

Q I want --

A I'm sorry, you're -- that's  
how I know that? Are you asking me if that's how I  
come to that conclusion?

Q Yes sir.

A Oh well, I would say that  
adds to my conclusion, but I came to that conclusion quite  
some time ago, long before the Inquiry started.

Q I take it from your own  
contacts with people in the north?

A Yes.

Q Dealing only with this  
consultation process that you've described and its  
inadequacies, I take it then that you see no other  
social impacts, good or bad, having resulted from this  
inadequate consultation process, besides this loss of  
faith in governing institutions?

A No, I don't think I would  
say that's the only one.

Q What are the others?

A Oh boy, I'm sure I can't  
-- I'd have to really think to give you a complete list  
but I think perhaps the first one that would come to





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my mind, that as a sort of social impact of this kind of disaffection, has been considerably increased political consciousness on the part of people in this area and political mobilization. It seems to me that and this is my own personal opinion, that if there -- one of the most obvious reasons to me for the growth of political organization on the part of native people in this area has been the encroachment of industry and conflicts over land use.

Q Well, would you see this growth in political organizations to flow directly from, as a consequence and be a consequence of, the inadequate consultation process that you've seen?

A Well, I'd have to be careful in answering that because you're suggesting in a sense that if the consultation process were the obverse of your question in a sense, is that if there were inadequate consultation process, that this political development would not have taken place and I don't think that is -- that that would not be correct, for the reason that, as I suggested earlier, the consultation part is not the only problem. It's the decision making part as well, and that if the decisions continually go against you, no matter how good the consultation is, after while, you're going to start fighting back.

Q Well, we've identified two, what we might call social impacts then of this inadequate consultation process, meaning by that, both consultation and decision making. The first is, loss of faith in governing institutions and the second is



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Cross-Exam by Goudge

greater political activity. Are there any others that you would add to that list?

A Well, I suppose associated that certain -- that people have obviously acquired certain political skills in the process of doing that. In other words, I think people are now better able to you know, attempt to defend their interests than was perhaps the case five years ago.

Q Yes. You wouldn't go nearly so far I take as to attribute particular social problems that may exist such as, for example, alcoholism or anything of that kind to this inadequate consultation process?

A Oh, well, yes in that sense, I think that most -- well -- I think the sense that a lot of people have of lack of control over what goes on in their lives, of which this process is a great part -- and I have referred here chiefly to consultation and decision making with regard to development projects but I think that it applies also to just about every sphere of native life, is that that sense of powerlessness and lack of control, in my own view is responsible for many so-called social pathologies that we observe in this region today, certainly.

I think if people had a sense of their own control over their future, control over their destiny, some kind of sense of independence and responsibility, it would be a lot different. So, in that sense, yes, I think that this process here that I



Exhibit, Usher, Affirmation, Continued  
Cross-Exam by Goudge

have described has certainly had those other consequences  
yes.

Q Can I ask you the basis  
on which you come to that conclusion? Is that simply  
your feel or intuition, from having lived in the north?  
Or is it more than that?

A No, I'd have to say it's  
more than that. I think that there is a fair body of  
thought in the social sciences which would suggest that  
control over one's, you know, life, society and so on  
has a great deal to do with social and mental health  
and so on. I think's that an accepted view in social  
sciences.

MR. GOUDGE:

Without pushing you  
beyond your area of expertise, I take it Mr. Bayly,  
we may be hearing more about that?

MR. BAYLY: The basis for the  
COPE phase four case is to discuss those various  
examples that have been raised by Dr. Usher.

MR. GOUDGE: Now, Dr. Usher  
sliding just a little to the last sentence of your  
paper and while this does, I'm afraid perhaps stray  
into phase four, you've left me curious by saying  
that you're going to present recommendations to  
ameliorate the --

I was going to ask Dr. Usher  
and it may be that you'd prefer to keep this along  
with your pursuit of the last line of questioning I  
was on, to phase four. But, you do say that you  
propose certain recommendations. I take it by that





Cross-Exam by Goudge

you and your colleagues will be dealing with recommendations to ameliorate what you see to be the adverse social impact resulting from this inadequate consultation process?

A I don't know if I would have put it quite like that. I think what we would recommend or, more directly, arising from what I've said here, recommendations to improve the deficient areas that I have referred to in here and one of the reasons that, in a sense we'd prefer to give these recommendations later is that I don't think you can dissociate this whole question from land claims and therefore, COPE will -- you know, it will depend on what's happening with land claims at that time as to what sort of recommendations will be made, I expect.

Q Some of the ameliorating solutions appear obvious, the solution to the late timing of consultation for example is obvious, isn't it?

A Yes.

Q You simply consult earlier and you can go through the list that I read you at the beginning and wouldn't you agree that the solutions -- at least until you come to the last one, effective local control, -- the solutions are obvious?

A I think the solutions are fairly obvious. It's not obvious to me that they'll be implemented though.

Q No, no. I just -- it's not obvious I suppose, to you that everyone agrees with your solutions. I simply want to get from you at some stage what your solutions are to these problems.

A Certainly.



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Q Well, with the anticipation that you will be dealing with your solutions to the six areas of weakness that you outlined in the consultation process, I'll leave that if I may until you return in Phase 4.

A Oh, well maybe I had better say one thing about that. This is possibly a source of some confusion. I would not intend to do that in Phase 4 and in fact, well, we haven't worked this out but the way we had originally conceived this I think was, that the recommendations would be presented in argument and that I would not necessarily appear to make the recommendations as such so I -- although we haven't worked this out, it's not clear to me that you can expect to find me at this table again to present the recommendations.

MR. BAYLY: I would think, Mr. Commissioner, that if Mr. Goudge wants from Dr. Usher things that he would personally recommend that he should put those in cross-examination. Those things which would be recommended by COPE would either appear through a panel that represented the people directly or in recommendations and argument.

MR. GOUDGE: Or both, presumably.

MR. BAYLY: Or both.

MR. GOUDGE: Well, Dr. Usher, let me, without getting into the last item that you raised, lack of effective control at the local level, since I think it is relatively simple, run through and get your views on the first five items as to what you



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think would ameliorate the adverse social impact that  
you see resulting from inadequate consultation. We have  
dealt with the first planning of consultation and  
assessment and the second, secrecy and suppression of  
information and the answer is obvious, isn't it? You  
simply have a more open consultation process?

A Yes.

Q The third, quality and  
completeness of information, what do you do there?

A Yes, I might add on  
point 2, is I would say it ought not to be simply more  
open, it would be completely open. It is not at all  
clear to me and this is a larger issue why there are  
so many confidential documents floating around the  
government.

I think that relates --  
oh, okay -- quality and completeness of information?

Q Yes, what would you do  
to ameliorate that difficulty?

A One of the ideas behind --  
well, the idea really behind having Jim Shearer present  
his evidence in the Delta Phase in January was to suggest  
that indeed it is possible to try and give people some  
kind of outline of the broad spectrum of what is going  
to happen in the future. I've suggested at the end of  
here what in fact it is that people need to know, and  
especially with regard to the completeness of information.  
This idea of treating each project as somehow an individual  
unrelated component of the whole picture is -- that  
process has to be ended. If they don't change that, then





1 I -- that's a key problem, it seems to me.

2 Q The fourth thing is the  
3 limited terms of reference for assessment. I take it  
4 the answer there is obvious. You would broaden the  
5 terms of reference to take in the assessment all proposed  
6 developments, not simply project by project?

7 A Yes, of course, it is  
8 easier to make a general recommendation like that than  
9 to work out exactly how this happens because, how do  
10 you get the proponents of all these projects together  
11 in order for that to happen. I guess I would have to  
12 see that as a government responsibility by and large  
13 to actually make that happen. If the government goes  
14 along with this assessment of each individual project,  
15 who else is going to make it happen? I don't think you  
16 can ask, I don't know one of the geophysical companies  
17 who is doing some particular seismic line to say, "look,  
18 before you go do that, you must explain to the people  
19 of the north the entire consequences from beginning to  
20 end of developing an oil basin." That's not reasonable.  
21 But it is reasonable to expect the government to do that,  
22 and it is reasonable for the government to press the  
23 proponents, actual and potential to providing all the  
24 necessary information for that.

25 Q Or at least as much as  
26 can be made available at any point in time given the  
27 earlier problem we talked about of evolving projects.

28 A Well, yes but I, if I  
29 may make this comment, I was at the community hearing  
30 in Tuk and I was most impressed by the difference in



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1 the quality and completeness of information given, when  
2 there was a Bible and a Judge there. It seemed to make  
3 a great deal of difference.

4 Q What about the fifth thing  
5 the institutional framework of consultation. You have  
6 pointed out inadequacies in that, and the resulting  
7 effect. What would you do to cure it?

8 A Well, I think that relates  
9 to my last point, somewhat more than the others do, in that  
10 if you are going to have effective control at the local  
11 level, one of the first things you do is you establish  
12 your own institutions and not have them imposed on you.  
13 And perhaps if the communities were really able to  
14 establish their own institutional framework for assessment,  
15 then some of the problems that I cite in that section  
16 under number 5 would be overcome.

17 Q So your solution really to  
18 the inadequacies posed by the institutional framework of  
19 consultation relate to a change in effective control?

20 A Yes, I think so because  
21 it is not really for me to prescribe what institutions  
22 native people ought to have to consider these things.  
23 That's their prerogative, I think, and that relates to  
24 the problem of effective control.

25 Q I see. And without  
26 effective control, you couldn't prescribe any -- without  
27 a change in effective control, you couldn't prescribe  
28 any change that would be desirable in the institutional  
29 framework for consultation?

30 A I could make a number of



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1 specific observations which in fact have already been  
2 made, it seems to me and I think especially the evidence  
3 which Gaile Noble gave with regard to the regional plan,  
4 I think suggests some of the inadequacies of the  
5 institutional framework. I don't see any point in  
6 repeating those and I don't know that I could make a  
7 series of more general remarks really, if that's all  
8 right.

9 Q Yes. Well then, we'll  
10 leave the last one until you and your colleagues  
11 return in Phase 4 to talk about the problem that you  
12 see in lack of effective control at the local level.  
13 Let me move if I might then from you, Dr. Usher, to  
14 Mrs. Cournoyea and ask you if I can to turn to page 5  
15 of your prepared evidence where at the end of the first  
16 paragraph, I take you to say that or to imply that  
17 the getting of projects going concerning training and  
18 employment of native peoples has been -- has taken a  
19 substantial effort. Is that so?

20 WITNESS COURNOYEA: That's  
21 true.

22 Q And that's been  
23 something that you and others in the north have been  
24 concerned to achieve?

25 A That's true.

26 Q And I take it that if  
27 there were any major development in the north, you would  
28 like to see that kind of scheme substantially advanced?

29 A And improved, yes.

30 Q Do you see that kind of





scheme as a responsibility of industry or government or both?

A I find that when the industry runs training programs such as the first training program run on pipeline education, it started off quite well, but as the mechanics of getting the pipeline authorities through the training program dropped off in quality. Some of the training programs that are carried out by the various companies that are working in the Arctic --sometimes they do not have enough time to do good on-the-job training because there is not enough personnel to carry out instruction. Often times what happens, from the information that has come back to the organization, is that the people working in on-the-job training or specified training on the rigs find it frustrating because the trainer sometimes isn't available to give the instruction that it is required, so the individuals find themselves actually working sometimes and most times at a lower salary on-the-job training, but actually doing their job. I believe the training programs are important but there has to be quality of training. Industry, if we're talking about oil and gas development have the expertise to train, but I believe that we have to go back and find out just what quality of training people are going to get. At the beginning of the training, the companies were quite willing to take lower grade levels, but now from the information that I received last week, the grade level is right now, grade 10. So the original intent of our request to the various groups when they first came,



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Goudge

up such as Gemini North, was adequate training -- quality  
training on the basis of where people were at, not  
taking out the best from the communities but helping us  
get the younger people who dropped out of school on  
jobs.



Noble, Usher, Allison, Counroy  
Cross-Exam by Goudge

But it seems as time goes by  
and that there's less and less time because the project  
has to go on because things have to be done, the quality  
and the training has dropped to a very low standard.

We have one of our people  
working on a training program and he has to have all  
due credit for the kind of work he puts into keeping  
people on the various jobs. But, from my understanding,  
it's very difficult because you have to have cooperation  
both ways and sometimes that's not -- it's not  
available, because companies have to move and we have  
to know that and people have to deal with that problem.  
We're dealing with it now and I think it will get more  
intense.

So, whether it's industry or  
government, I think that individuals who are receiving  
educational -- academic education have to be the ones  
who get the first notice not -- not a publicity  
scheme to say that the companies are good. This is  
our problem and this is one we'll have to deal with  
and from the information back from Alaska, it's no  
different there, so we have to meet that problem our-  
selves. Perhaps industry can be responsible, but the  
government as well, because of promises, are there for  
employment. But I think they have to be more clearly  
defined so we really know what that means. We don't  
right now, at this time.

Q Would it be your view  
that these kinds of programs to train native people  
in the north encourage an influx of native people into





wage economy?

A Well, I think that the people who want to take part will take part. I don't think you're going to force anyone to work on a job when they <sup>don't</sup> want to because they still have the alternative of what they want to do. But, I think the people that want to take part, you know, have to be encouraged because, really, it's not just happening because of the oil and gas industry. The kind of educational institutions have been in the north for some time now, and I think these educational institutions are being challenged to the quality of living that they're offering people. I think there's quite a bit of disillusionment about exactly what it has to offer. You know, what it means to individual people, because people certainly aren't sticking with it. I suppose it's just another stage of presenting some kind of a package and that certain people will accept it. Others won't.

Q But you would, I take it agree that because people can either accept, move into these training programs or not as they choose, you do not get an adverse impact in the sense of having people encouraged into the wage economy in a way that will lead them to lifestyles that they don't want?

A No, that's not true because it takes a long time to figure out where you are and sometimes when a movie film comes in, it looks kind of nice because it's all in color, so it takes a while before people know that they have a choice and I think a lot of people have been led into the institutions and



Noble, Usher, Allison, Counovea  
Cross-Exam by Goudge

right now we're trying to struggle with a bigger change to the north and people want to take part, but I think it's only now that people start feeling that maybe there is a choice and what is that choice. I really -- it's difficult for me to understand why, when we go and we do a community survey ourselves, house to house, why individual people, when you ask them why do they feel their vocation is -- what do they feel that they want to do, they talk about truck-driving. They talk about very low standard job employments for themselves.

If the academic institution is going to do anything for native people, it's got to do better than that. That's where we are now.

Very few people take advantage of higher learning because they don't feel that's the place for them. They've been brainwashed to think that the only thing they can do right now is to be a truck-driver. You say, "Well, if you want to go into radio work;" there's so many different areas of interest, but people really aren't informed about those choices and it's not fair to say that the family should because the family doesn't know either.

As the educational institution evolves, and which the pipeline is going to bring, industry is going bring us more people from the south. They take over the school institutions. They take over what should be done in those school institutions and people get pushed in the background, just like settlement councils, just like town councils.

The impact is already there.



## Cross-Exam by Goudge

1 What we're trying to do is we're trying to deal with  
2 a bigger one we anticipate by the pipeline. It's  
3 not that it's something new.

4 I'd like to stress that in Tuk, there were 167 land  
5 use permits that were put before the Settlement Council  
6 before Cape Bathurst came up. That was the only land  
7 use permit that the people rejected and it took two  
8 years to get that one small piece of land set aside.

9 On top of it, with all this  
10 information that's going on and consultation, the  
11 Pipeline Inquiry, and with the meetings with Buchanan,  
12 why were 68 mining license issued last week? Why  
13 were they? You know, it's -- it's -- I'm sure we can  
14 feel safe to assume that we've got our message across.  
15 The media's got <sup>it</sup> across. We've met with Prime Minister  
16 Trudeau. We've presented ourself before the Berger  
17 Inquiry.

18 So, the processes are not  
19 working, even last week, because we haven't really got  
20 our idea across and it's the same thing with education.  
21 The fancy package is there. It's decorated. People  
22 accept it. But the thing is, when you -- you know, if  
23 you take the time to open it, there's nothing in it.  
24 It only takes time and then I think people have to be  
25 politically and economically in control before they  
26 can make sure they've got something in that package and  
27 it's something they're going to put in there themselves  
28 and it's no use making any other excuse about it.

29 That's the way the organization  
30 I work for, representing the delta Inuit feel, because





2011-10-10, 10:10 AM, Allison, Goudge  
Cross-Exam by Goudge

1 the experience in the past and the experience today is  
2 not really changing that much.

3 Q Well now, Miss Allison,  
4 if I could come to you please, as I understand, the  
5 particular problem you deal with, it's your view that  
6 the consultation process has improved through the  
7 discussion that Dr. Usher and I had should extend itself  
8 to research projects.

9 WITNESS ALLISON: That's  
10 correct.

11 Q I take it though you  
12 wouldn't say all research projects?

13 A I think Mrs. Cournoyea  
14 answered that yesterday and she suggested at that time  
15 that people living in the communities should know what's  
16 going on on their land. What my evidence related to  
17 specifically, was research projects that may have  
18 an adverse effect in themselves.

19 Q I take it one of the  
20 ameliorating procedures you would like to see implemented,  
21 is an independent analysis of research before it  
22 proceeds as part of the consultation process?

23 A I don't think that's  
24 always necessary. I think that that's an option that  
25 should be available. It's perfectly possible that a  
26 proposal may come before an organization such as COPE  
27 to do some sort of disturbance study, as an example.  
28 That once it's discussed and once people understand  
29 the reasons for it, and the kinds of data that will be  
30 produced by it, that they'll accept that that's necessary



Noble, Usher, Allison, Cournoyea  
Cross-Exam by Coudge

1 and once they understand how much damage it might do,  
2 they may accept that it's necessary and there may be  
3 no need for an independent consultant to be brought in  
4 or an independent expert.

5 Q When you say "independent",  
6 what do you mean by that?

7 A It means somebody who has  
8 no vested interest in the project.

9 Q Does that mean that if it's  
10 a government research project, the expert analyzing it  
11 should be outside Yellowknife?

12 A That's certainly one way  
13 of interpreting it. It doesn't necessarily mean that  
14 they have to be outside of government, but someone  
15 outside of government may feel freer to speak out in  
16 opposition to a government experiment.

17 Q Yes. Whether or not they're  
18 within the same agency as the research -- as the agency  
19 carrying on the research. Your only concern is that  
20 the analysis be by a person who has no direct participa-  
21 tion in the project?

22 A Oh, I don't think I would  
23 say that. I think it would be very difficult for a  
24 person in the same agency to publicly criticize a project  
proposed by somebody else in the same agency, particularly  
if it was a project that that agency was promoting, if  
you like, at that time.

Q Thank you.

A And it may be difficult  
for other government scientists for that reason, but



Noble, Usher, Allison, Cournoyen  
Cross-Exam by Goudge

1 university people and so on, may feel freer. That's  
2 what I meant before.

3 MR. GOUDGE: Thank you. Those  
4 are all the questions I have of this panel, Mr.  
5 Commissioner.

6 MR. BAYLY: I have no  
7 re-direct examination Mr. Commissioner.

8 THE COMMISSIONER: Well, thank  
9 you very much members of the panel. It's been a very  
10 useful discussion and I certainly have appreciated it.

11 Mr. Goudge, is that all the  
12 evidence to be heard today?

13 MR. GOUDGE: That's all the  
14 evidence to be heard today sir. We've -- we will move  
15 formally into phase four, with your permission, next  
16 Tuesday at 1:00 with the Nortran panel, and we'll move  
17 on through the week with some evidence presented by  
18 the Brotherhood.

19 THE COMMISSIONER: All right,  
20 before we adjourn, let me suggest that Mr. Goudge,  
21 that you hold a meeting of Counsel next week sometime  
22 and consider what I'm about to say about the progress  
23 of the hearings.

24 (WITNESSES ASIDE)  
25  
26  
27  
28  
29  
30





It seems to me that the evidence we have heard from Miss Noble, Mrs. Cournoyea and Dr. Usher and Miss Allison is evidence that is going to resemble very much the evidence we hear in Phase 4. It is important evidence and worthwhile and, but it varies from the evidence we have heard in the past in the sense that it partakes to a considerable extent of argument and it is bound to.

It is much better that I should hear it from the people such as we have on the panel than through the mouths of lawyers. I think you will all understand what I mean. There is no point in the views that these witnesses have expressed being so to speak, recycled through their legal representatives. It is better for all of us that they should come and make these assertions on their behalf and in their own way.

Now, what I'm getting at is that in Phase 4, it seems to me we will have an awful lot of evidence of this same character and it is vital evidence, vital to the Inquiry. The fact is though it seems to me that the scope for cross-examination is going to be limited, and I think all of you should consider that -- consider whether it is useful to cross-examine them at any length when we have panels like this and there has been no cross-examination of any length with respect to this panel. I'm stating the obvious but I hope it will continue to be obvious as we move along.

Early in May, we will be commencing the hearings in southern Canada and I want to



1 urge all of you to make the best use of that month. That  
2 will be a month when I will be in southern Canada but  
3 I think, for the most part, the lawyers will not be  
4 coming along and for the most part, the people who have  
5 in a staff capacity been assisting each of the  
6 participants will not be coming. I know some of them  
7 will be and I'm not in anyway trying to say who should  
8 come and who shouldn't come but we have completed  
9 Phase 1 related to engineering and construction and  
10 Phase 2 relating to the impact on the physical environment,  
11 Phase 3 relating to the impact on the flora and fauna  
12 of the north and we have completed the Delta Phase.

13 Now, I want you to use  
14 that month to prepare your final summations on all of  
15 those phases and I -- the Canadian Arctic Resources  
16 Committee isn't here today but I know they will read this  
17 and I want them to make sure that they use that month  
18 to prepare whatever they have to say to me in final  
19 summation arising out of those three phases and the Delta  
20 Phase. I think the same goes for Arctic Gas and for  
21 Foothills and I think the same goes for COPL, Mr. Bayly,  
22 as far as the Delta Phase is concerned where you have  
23 a special interest that we all acknowledge and the same  
24 goes for Commission counsel and the Inquiry staff.

25 So I want you to make the  
26 fullest use of that month so that we can return after the  
27 southern hearings, complete Phase 4 and then consider  
28 your final submissions and consider the terms and conditions  
29 that you will be urging upon me and asking the Inquiry to  
30 recommend to the government.



1                                Now, you will perhaps  
2 think I have left some things out but let me just  
3 go on for a moment. I understand that in Phase 4, the  
4 Inquiry, if not other participants will be calling some  
5 witnesses from Alaska to discuss the impact in Alaska of  
6 the oil pipeline being built there. Well, that's fine,  
7 that's the -- that, it seems to me, the time and the  
8 place for hearing the remaining witnesses coming from  
9 Alaska.

10                              There is one exception  
11 to that, I raised yesterday or it may have been the day  
12 before, I have forgotten now. The whole question of the  
13 construction schedules that Arctic Gas principally and  
14 to a lesser extent Foothills have proposed and I have  
15 pointed out the real problem that will be confronted, that  
16 will confront the government if the project goes ahead  
17 and if it turns out that these construction schedules  
18 cannot be fulfilled. We have to get to the bottom of  
19 this now and I urge that Mr. Moolin, Moolin, I think is  
20 his name, the man who heads the Alyeska project, be asked  
21 to come to testify because he has indicated that he can't  
22 work in December and January in Alaska and certainly if  
23 you can't in Alaska, you can't work in December and  
24 January along the North Slope or in the delta. I don't  
25 mean work, I mean establish pipeline spreads and build  
26 huge pipelines.

27                              So at some stage, that is  
a loose end that has to be picked up and I'm sure  
Commission counsel will arrange to call that evidence at  
an appropriate time as we move along. Now, I said from





1 the beginning that we are looking at an energy corridor  
2 here with a gas pipeline and then an oil pipeline. We  
3 have considered the impact of oil pipelines along with  
4 gas pipelines as we have proceeded and I understand that  
5 Commission counsel will be calling further evidence with  
6 the cooperation of the Beaufort Delta group that want  
7 to build the oil pipeline. That's something that will  
8 have to be worked in.

9 But let me see if I can  
10 make in closing the point clear I tried to make at the  
11 beginning. It is important that any -- it is important  
12 that this Inquiry say to the government if you are  
13 going to build a gas pipeline and establish an energy  
14 corridor, then this will be the impact, social, economic  
15 and environmental as the Inquiry sees it.

16 Now, I need the assistance  
17 of all of you in seeking to determine what that impact  
18 will be. The government will then have to decide whether  
19 it is going to build a pipeline and on the basis of the  
20 impact of each of the two proposals, the Arctic Gas  
21 proposals and the Foothills proposal will determine which  
22 of those it should allow to go ahead. It will, of course,  
23 rely as well on what is contained in the report of the  
24 National Energy Board.

25 If one or other project  
26 goes ahead, then the terms and conditions that are to  
27 apply will be determined by the government on the basis  
28 of the terms and conditions that I recommend, so I hope  
29 you will cast your final summations with that progression,  
30 so to speak, in mind. And when you are considering the



1 presentation of the remainder of your evidence and  
2 your final summations, bear in mind I don't want to  
3 hear the same thing twice. That is, if you have a panel  
4 that is explaining what terms and conditions you propose,  
5 well, that's fine, and I'll certainly bear that in mind.  
6 But I don't want that to be argued all over again in  
7 the final summations.

8 Well, that's the way  
9 I see our work over the next little while, and I suppose  
10 the point I am making for all of you who have been  
11 working along with the Inquiry for more than a year now,  
12 is that I really urge you to make use of that month  
13 when I am away in southern Canada to prepare your final  
14 summations to me on what you say the impact of all of  
15 these events is going to be, and I haven't tried to relate  
16 the whole picture to you here. But I have discussed again  
17 and again the total impact that I'm interested in.

18 I think that you should  
19 have that ready in some detail by the time I return from  
20 southern Canada because you will have had a month or more  
21 to prepare and that evidence that we have been considering  
22 for over a year now is fresh in the minds of all of us  
23 and I'm saying that I think you will be making a mistake  
24 if you want to leave the preparation of your final  
25 summations until the end of Phase 4.

Now, the municipalities and  
the Chamber of Commerce are in a different position from  
the rest of you because Phase 4 is the phase that they  
are principally interested in and we can't very well ask  
them to prepare their final summations until the



1 evidence has been heard but the rest of you are -- you  
2 have been at this now for over a year and we have finished  
3 all of those phases and it has been an intensive and  
4 worthwhile scrutiny of these questions, and I don't want  
5 to sound like as if I'm nagging you, but I am. I really  
6 urge you to get down to business. Those of you who  
7 are left here in the north and aren't tied up in Phase  
8 4, or at the southern hearings to get that material  
9 ready and in that way we should be able to complete the  
10 hearings in the summer and that will mean that I can  
11 get my report in to the Minister and his colleagues in  
12 good time and if you are wondering if pressure is being  
13 brought to bear to complete the hearings, the answer is  
14 yes, and I'm bringing it to bear.

15 Well, we'll adjourn till  
16 Tuesday at 1:00 and next week is a three day week, I  
17 think, isn't next Friday Good Friday?

18 MR. GOUDGE: Yes.

19 THE COMMISSIONER: So we'll only  
20 sit until 5:00 Thursday afternoon, but maybe we should sit  
21 Wednesday evening as well to make sure we move along  
22 nicely. I hope the court reporters will be willing to  
23 accommodate us in that regard. It looks like Mr.  
24 Demister indicates that he will so -- so we will  
25 adjourn till Tuesday then.

(PROCEEDINGS ADJOURNED TO APRIL 13th, 1976)



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Vol. 141

AUTHOR

Mackenzie Valley pipeline inquiry:

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M835  
Vol. 141





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MACKENZIE VALLEY PIPELINE INQUIRY

Government  
Publications

IN THE MATTER OF APPLICATIONS BY EACH OF  
(a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A  
RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS  
CROWN LANDS WITHIN THE YUKON TERRITORY AND  
THE NORTHWEST TERRITORIES, and  
(b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY  
THAT MIGHT BE GRANTED ACROSS CROWN LANDS  
WITHIN THE NORTHWEST TERRITORIES  
FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

Yellowknife, N.W.T.

April 13, 1976.

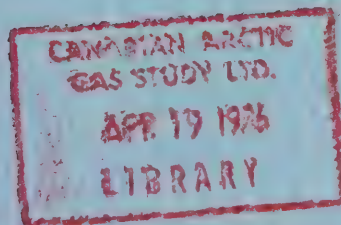
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PROCEEDINGS AT INQUIRY

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Volume 142

347  
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Vol. 142







APPEARANCES:

Mr. Ian G. Scott, Q.C.,  
Mr. Stephen T. Gaudge,  
Mr. Alick Ryder and  
Mr. Ian Roland for Mackenzie Valley Pipeline  
Inquiry;

Mr. Pierre Genest, Q.C.,  
Mr. Jack Marshall,  
Mr. Darryl Carter, and  
Mr. J.T. Steeves, for Canadian Arctic Gas Pipeline  
Limited;

Mr. Reginald Gibbs, Q.C.,  
Mr. Alan Hollingworth, and  
Mr. John W. Lutes, for Foothills Pipe Lines Ltd.;

Mr. Russell Anthony,  
Prof. Alastair Lucas and  
Mr. Garth Evans for Canadian Arctic Resources  
Committee;

Mr. Glen W. Bell and  
Mr. Gerry Sutton, for Northwest Territories  
Indian Brotherhood, and  
Metis Association of the  
Northwest Territories;

Mr. John Bayly and  
Miss Leslie Lane for Inuit Tapirisat of Canada,  
and The Committee for  
Original Peoples Entitle-  
ment;

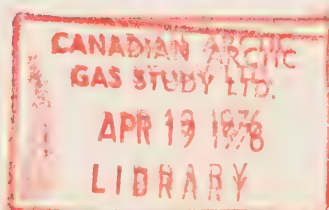
Mr. Ron Veale and  
Mr. Allen Lueck for The Council for the Yukon  
Indians;

Mr. Carson H. Templeton, for Environment Protection  
Board;

Mr. David Reesor, for Northwest Territories  
Association of Municipalities;

Mr. Murray Sigler, for Northwest Territories  
Chamber of Commerce;

Mr. John Ballem, Q.C., for Producer Companies.







I N D E XPage

## WITNESSES FOR APPLICANTS:

Clare Barrymore VIRTUE

Arthur Raymond GIROUX

Richard J. BEHN

- In Chief

- Cross-Examination by Mr. Bayly

- Cross-Examination by Mr. Bell

- Cross-Examination by Mr. Sigler

- Cross-Examination by Mr. Scott

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## EXHIBITS:

558 Qualifications &amp; Evidence of C.B. Virtue 21534

559 Qualifications &amp; Evidence of A.R. Giroux 21534

560 Qualifications &amp; Evidence of R.J. Behn 21534

561 "Northern Employment" May 1975 21537

562 "The Task, Nortran" March 1976 21537



Yellowknife, N.W.T.

April 13, 1976.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. SCOTT: Mr. Commissioner, we're ready to proceed with Phase 4. Before we begin the evidence of the first panel I understand that Mr. Steeves, representing Arctic Gas, wants to make something in the way of an opening statement, as do Mr. Sigler and Mr. Searle, representing their clients, so it seems to me it would be best perhaps to begin with Mr. Steeves.

MR. STEEVES: Thank you, Mr. Scott. Mr. Commissioner, at the beginning of this Inquiry, you were told that Arctic Gas' Exhibit 14-C contained the case which would be put before you in Phase 4. Exhibit 14-C represented the principal conclusions as to impact and stated some major mitigating policies. A great deal of work has been done since then, and a great deal of work already done was not incorporated in that exhibit, and you will hear about some of that work in the evidence which Arctic Gas will present in Phase 4.

Additional mitigating policies not mentioned in 14-C will also be put before you. It will be the submission of Arctic Gas at the end of all of the evidence of this Inquiry that it is established that it knows how to build and operate a pipeline in a safe and efficient manner in a northern environment. Arctic Gas does not claim that same special knowledge as to exactly how its project will affect the lives of



1 the people north of 60. This whole area of social and  
2 economic impact is a difficult one, and is one where  
3 Arctic Gas anticipates learning from the views expressed  
4 by others during Phase 4.

5 At the same time Arctic Gas  
6 is convinced that it has sufficient knowledge to formulate  
7 plans and policies which will minimize impact. Nor does  
8 Arctic Gas claim the right to determine what is best or  
9 what is right for the people of the north or for Canada.  
10 That question will be decided by the Government of Canada  
11 after taking into account the reports and recommendations  
12 of this Inquiry, the National Energy Board, and the views  
13 and interests of all Canadians about where, when and  
14 how the hydrocarbon resources of the north will be  
15 developed and transported to market. Arctic Gas believes  
16 that its project will bring substantial and long-term  
17 social and economic benefits to the people of the north.  
18 Arctic Gas has seen its obligations as follows:

19 . To conduct the necessary research and studies into  
20 the consequences of the construction and operation of  
21 the pipeline north of 60, so as to permit it to identify  
22 the likely areas of major impacts.

23 . To make known its present plans and policies to  
24 deal with these major impacts which have been identified,  
25 with the overall goal of minimizing the social and  
26 economic costs of the project and maximizing the  
27 benefits to persons affected during its construction and  
28 operation.

29 Sir, Arctic Gas and Foothills,  
sponsored  
as two members of the industry's Nortran program, which





1 will be jointly presenting a panel of witnesses to  
2 describe the Nortran program. Those are these gentlemen  
3 sitting at the witness table at the present time.

4 In addition to the Nortran  
5 evidence, Arctic Gas intends to produce six panels of  
6 witnesses as follows: The first panel will provide a  
7 backdrop for the testimony of subsequent witnesses by review-  
8 ing the following, firstly the relevant social and  
9 economic background factors for the region and for  
10 specific areas and communities;

11 (2) the past and current information and liaison  
12 programs that have been conducted in the region by or  
13 on behalf of Arctic Gas, and

14 (3) the studies and analyses that have been conducted  
15 by or on behalf of Arctic Gas up to the present time.

16 The second panel of the six  
17 will deal with the experience in Alaska, and the relevant  
18 social and economic impacts there as compared to what  
19 is or may be expected in the Northwest Territories.

20 The third panel will deal with  
21 the nature and extent of employment opportunities that  
22 will be made available to northern residents in both  
23 the construction and operation phases, and with employ-  
24 ment policies and programs that have been developed.

25 The fourth program will deal with  
26 all other construction phase impacts of the social  
27 and economic nature.

28 The fifth panel will deal with  
29 longer term operation phase impacts.

The sixth and final panel will



deal with policy issues generally, and with any considerations that have arisen during the course of previous testimony and cross-examination that require the attention of a policy witness.

We anticipate that the written direct evidence of these six panels will comprise several hundred pages and will require substantial hearing time.

Mr. Commissioner, I understand that others are going to open. May I tell you now, in the spirit of co-operation that's prevailed between Foothills and Arctic Gas at these hearings up to date, I would ask at the appropriate time that my learned friend, Mr. Hollingworth, introduce the Nortran panel and conduct the examination in chief. Thank you for hearing me.

MR. HOLLINGWORTH: I think Mr. Sigler wants to speak.

MR. SCOTT: Mr. Sigler and then Mr. Searle, perhaps.

MR. SIGLER: Thank you, Mr. Scott. Mr. Commissioner, I simply wish to confirm that I will be appearing throughout the fourth phase, and if there is a regulatory phase of this Inquiry on behalf of the Association of Municipalities, made this appearance made possible through the funding that the Inquiry has provided to the Association. The Association during the fourth phase plans to call evidence relating to pipeline impact in its member communities, particularly with emphasis being made in areas of direct municipal responsibility.



We foresee calling four panels at this point; one dealing with gas supply to northern communities, secondly dealing with capital costs and financing of municipal services, thirdly dealing with recreation and fourthly with protection services in the affected municipalities.

Witnesses to be called by the Association will include municipal council members and officials who have been and will be directly involved in these decision making areas.

Particular emphasis will be made to the communities which are members of our Association, especially the town of Inuvik, the town of Hay River and the village of Fort Simpson, as these are the high impact communities that are foreseen as far as the social economic aspect of the Inquiry goes.

The Association, throughout its presentations and its submissions will be urging the Inquiry not to overlook the concerns of these high impact communities and of the incorporated municipalities generally, as may be expressed through the evidence given by the municipal leaders. The general position of the Association in its involvement in the Inquiry will be that if our concerns are met and the recommendations that we make implemented, then the proposed development of the gas pipeline can and should proceed at the earliest date, as we feel this will be to the social and economic benefit of all the people in the subject communities.

This generally sir, is our





plan for involvement, generally what our evidence will be and generally what our position is likely to be in this Inquiry.

THE COMMISSIONER: Thank you Mr. Sigler.

MR. SEARLE: Mr. Commissioner, I am here appearing on behalf of the Northwest Territories Chamber of Commerce, and simply wish to make a couple of points. Firstly, that we have our report prepared and would propose to present a single panel to explain the study; a panel of, I think, three.

We will not be attending the whole of this phase, only the two, three or four days, whatever it takes to present our position. I suppose that being the case, the only thing left for us to know would be approximately when we might be expected to be here in view of the fact that we're not planning to be here throughout the whole phase. If we could have some indication of that, I'm sure we could get our witnesses pretty quickly and then have our say and be gone.

MR. SCOTT: Well, Mr. Commissioner, as we go along, I think I'll be able to give Mr. Searle two or three weeks warning, if he'll find that satisfactory but it's difficult to predict at this stage precisely when it will be. I think he's safe until the first of June.

MR. BELL: Mr. Commissioner, I say should that the Indian Brotherhood and Metis Association will also be making an opening statement at the beginning of our evidence, which I expect will be some time tomorrow.



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THE COMMISSIONER: All right.

MR. SCOTT: Well Mr. Commissioner,  
if Mr. Hollingworth would like to carry on --

MR. HOLLINGWORTH: Thank you  
sir. You have before you a rather unusual sight, a  
joint panel of Canadian Arctic Gas and Foothills Pipe  
Lines. The gentlemen are the panel on the Northern  
Petroleum Industry Training Program which you've heard  
about to a great extent, mostly in the communities.  
Both Canadian Arctic Gas and Foothills are members of the  
group participating in and sponsoring the Nortran Program.

Starting from my left, have  
Mr. Rick Behn who is a counsellor with Nortran. In the  
middle is Art Giroux, the assistant manager of the program  
and on my extreme right is Mr. Barry Virtue, the manager  
of the Nortran Training Program. I propose to introduce  
them, and go through their experience and qualifications,  
and then carry on with their evidence in chief.

CLARE BARRYMORE VIRTUE,

ARTHUR RAYMOND GIROUX,

RICHARD J. BEHN, sworn;

DIRECT EXAMINATION BY MR. HOLLINGWORTH:

Q Now, Mr. Virtue, as I  
said you're the manager of the Nortran Program.

WITNESS VIRTUE: That's correct  
sir.

Q I understand sir that  
you obtained your Bachelor of Science from the University  
of Manitoba in 1952.

A Yes sir.



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Q You also participated in  
the Business Management Development Program at the  
University of Calgary.

A Correct.

Q And attended the Banff  
School of Advanced Management in 1975.

A That's right.

Q That you spent 11 years  
from 1952 to '63 as a geophysicist in petroleum explora-  
tion in western Canada.

A Yes sir.

Q And the following ten  
years to 1973 in adult education, two years as an  
instructor at the Southern Alberta Institute of Technology,  
six years in administration with the Division of  
Technical and Vocational Education, Province of Alberta  
and two years as Provost (Vice President) of Mount Royal  
College in Calgary.





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A That's correct.

Q And you have held your  
present position for three years.

A That's true.

Q And I understand, sir,  
that you have numerous professional affiliations  
and related activities connected with your position.

A Yes.

Q As listed on your quali-  
fications. Mr. Giroux, I understand that you obtained  
High school and post secondary education in electronics,  
forest and wildlife conservation, and industrial develop-  
ment.

WITNESS GIROUX: Yes sir.

Q You worked for six years  
for the Northern Alberta Railroad Company in the Fort  
McMurray area.

A Yes.

Q Seven years as a  
forest officer with the Alberta Department of Lands &  
Forests, primarily in the Fort McMurray and Fort Chipewyan  
areas of north-eastern Alberta.

A That's correct.

Q You then spent two years  
as a forest management officer in Wood Buffalo National  
Park, Fort Smith, Northwest Territories.

A Yes sir.

Q And you were then for three  
years occupied as an industrial development officer with  
the Federal Government and the Territorial Government



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at Fort Simpson in the Northwest Territories.

A Yes sir.

Q And for five years you have been with the Nortran program.

A Correct.

Q And you have an outline at the end of your curriculum vitae which you might read to the Inquiry at this time, sir.

A At this time?

Q Yes, please.

A The nature of my work experience has brought me in close contact with the native pursuits and lifestyles. I have been directly associated with and provided assistance to endeavors in the north such as market gardening, sawmills, fishing lodges, commercial fishing and fish processing, river guiding, arts and crafts, retail merchandising, training and employment, boat construction, and the organization of labour pools. I was elected chairman of the first Fort Simpson Hamlet Council in 1968. In addition to being born and raised in Northern Alberta, I have worked and resided in the north for approximately 13 years. In addition, my job responsibilities have enabled me to maintain a close relationship with the Yukon, and particularly the Northwest Territories during the past five years.

Q Thank you sir. Now, Mr. Behn, you presently reside in Bragg Creek, Alberta.

WITNESS BEHN: Yes.

Q And you're from Fort



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1 Nelson, British Columbia.

2 A Yes.

3 Q You were educated in

4 Lower Post, British Columbia and Fort Nelson, as well  
5 as Whitehorse, Yukon Territory.

6 A Right.

7 Q And you subsequently  
8 attended Camosun College which used to be the Institute  
9 of Adult Studies in 1968 and '69, and 1969 and '70.

10 A Right.

11 Q And that your work history  
12 is with the Department of Public Works in Fort Nelson,  
13 B.C. as a laborer.

14 A Right.

15 Q With the British Columbia  
16 Forest Service as a fire-fighter, pump operator and  
17 timekeeper.

18 A Right.

19 Q With the Department of  
20 Public Works, Bridge Crew as a laborer working on the  
21 Alaska Highway.

22 A Right.

23 Q With Westcoast Transmission  
24 as casual laborer, firefighter, straw boss and timekeeper.

25 A That's right.

26 Q And later again with the  
27 British Columbia Forest Service as a firefighter.

28 A Right.

29 Q And then you started in  
January 1, 1971 on the training program with the





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1 Alberta Gas Trunkline Company, and were subsequently  
2 promoted to a compressor station operator and stayed  
3 on until 1973 in May, when you took over Mr. Giroux's  
4 position as a counsellor with Nortran.

5 A Yes.

6 Q And you've been in that  
7 position ever since.

8 A That's right, yes sir.

9 Q Mr. Virtue, you might  
10 start reading in your evidence in chief.

11 WITNESS VIRTUE: Mr.

12 Commissioner, my responsibility is to describe  
13 and discuss an industry-based training program known as  
14 Nortran -- Northern Petroleum Industry Training Program.  
15 The program represents a co-operative effort and joint  
16 sponsorship by the Alberta Gas Trunk Line Limited,  
17 Canadian Arctic Gas Study Limited, Foothills Pipe Lines  
18 Ltd., Gulf Oil Canada Limited, Imperial Oil Limited,  
19 Shell Canada Limited, and TransCanada Pipelines Limited.  
20 It should be noted that Nortran is responsible to this  
21 group of companies, but is limited in terms of represent-  
22 ing them to those parameters which will be described as  
23 Nortran activities.

24 The Nortran program is designed  
25 to provide training and employment opportunities to  
26 residents of the Northwest Territories and Yukon. I will  
27 now attempt to describe what has been done to date in this  
28 program.

29 To put my remarks in context,  
30 I would like to briefly review my understanding of certain



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events leading up to the development of Nortran and its activities.

In the mid and late 1960s, petroleum exploration increased significantly in the Northwest Territories. Led by Imperial, Gulf and Shell, the exploration activities in the Mackenzie Delta resulted in the discovery of large quantities of natural gas and indications of potentially large oil reserves. During the course of these operations, the three companies employed and trained northerners in the normal course of their operations. Many skills related to the exploration activities were acquired by northerners being trained on the job.

The discovery of these large reserves of natural gas led to the formation of two groups to study the feasibility of a natural gas pipeline from the Arctic. The two groups were known as Gas Arctic Systems and the Northwest Project Study Group. In January 1971, Alberta Gas Trunk Line, a member of the Gas Arctic Systems, initiated an imaginative training program for residents of the Northwest Territories and Yukon. The trainees were located at Rocky Mountain House, Alberta, and approximately 16 northerners were involved initially. The program used Alberta Gas Trunk Line facilities at Rocky Mountain House for orientation and familiarization with the gas transmission industry, and emphasized a training on the job approach for occupations in pipeline operations and maintenance.

In 1972 a major report



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commissioned by the Northwest Project Study Group had been completed by the Boreal Institute for Northern Studies at the University of Alberta. This report examined a number of previous programs for training northerners (including Alberta Gas Trunk Lines) demographic data, educational levels, and other pertinent matters. From this data, suggestions and recommendations were made as to how a northern work force for an operating pipeline might best be trained.

In June, 1972, the Department of Indian Affairs & Northern Development issued a document entitled:

"Expanded Guidelines for Northern Pipelines."

Among other things, these guidelines clearly stated that if there was to be economic development in the north, northerners must have the opportunity to benefit by that development. One of the ways in which the government would attempt to ensure that northerners would benefit from resource development was to require that northerners be given maximum opportunities for training and employment at all levels by companies carrying on their operations north of 60.

With the merger of the Gas Arctic Systems and Northwest Project Study Group in mid-1972 to form Canadian Arctic Gas Study Limited, a co-ordinated effort towards development, implementation and administration of a training program for northerners was begun in early 1973. These efforts resulted in Canadian Arctic Gas Study Limited forming a training group to administer a program in which Alberta Gas Trunk





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Lines, Gulf, Imperial and Shell were all major participants.

(QUALIFICATION AND EVIDENCE OF  
C.B. VIRTUE MARKED EXHIBIT # 558)  
(QUALIFICATIONS AND EVIDENCE OF  
A.R. GIROUX MARKED EXHIBIT # 559)  
(QUALIFICATIONS AND EVIDENCE OF  
R. J. BEHN MARKED EXHIBIT #560)



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TransCanada Pipelines joined this group in early 1974. In October 1974, Alberta Gas Trunk Line withdrew from the Canadian Arctic Gas consortium to form Foothills Pipe Line Ltd. This resulted in the formation of an independent group called Nortran to administer the ongoing training program on behalf of Foothills Pipe Line Limited, Canadian Arctic Gas Study Limited, and the other five participants previously mentioned.

The activities of Nortran are directed by a Steering Committee made up of senior personnel representing the participating companies, and we have put on the chart there sir, the organization of our training group and would just draw your attention to the Steering Committee members -- member companies and some of the titles of the group that we work with; industry training coordinators and counsellors, and we'll be describing them in some detail later.

The training program has developed the following objectives.

1. To provide training and employment opportunities for northern residents in all phases of the petroleum industry.

2. To involve northerners and appropriate government agencies in the development and implementation of the program.

3. To emphasize a career development approach that would provide individuals with continued opportunities for training and development for as long as the individuals were motivated and



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capable of progressing in the chosen vocation.

Some important concepts were involved in developing a program with these objectives. One of these concepts was that major emphasis would be given to providing, to the extent possible and practical, transferrable skills in order that individual trainees would acquire maximum job mobility in the labor market. In addition, it was decided to utilize a training on the job approach, supplemented by theory or more formal institutional training as required. This immediate hands-on experience would provide relevancy and hopefully motivation for trainees to attempt formal training programs which might be required in the future.

Also, it was recognized that because of circumstances in the north, educational job entry requirements would have to be reduced from those normally required. The participating companies agreed to accept trainees with lower entry requirements, provided Nortran could make available the opportunities for upgrading the educational levels when required. By working with government agencies responsible for these matters, the opportunities are being provided.

It was believed from the beginning that a great deal of flexibility must be maintained in the program. This flexibility has been maintained to a significant degree, and new or different approaches have been attempted as changing circumstances and situations warrant.

In implementation of the training program, the following major components are





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considered important:

1. Career and job information.

An important component of any training and employment program is effective communication with the appropriate segment of the population. With this in mind, regular visits by Nortran staff are made to the communities in the western Mackenzie District and to the high schools in the same area. Career information regarding the petroleum industry is presented and discussed with high school students. Job and training opportunities are discussed and described to interested persons living in the communities visited.

In addition, meetings have been held with students from the Northwest Territories attending post secondary institutions in Alberta to discuss careers and job opportunities in the petroleum industry. Through these efforts, we hope to achieve some understanding and appreciation of job opportunities, the training and educational requirements and working conditions in the petroleum industry. In this manner, northerners will be assisted in making informed choices in their jobs and careers.

We have a couple of documents, sir; one entitled "Northern Employment" and another one, "Task" that Mr. Hollingworth has that we would like to file as exhibits.

THE COMMISSIONER: Fine.

(DOCUMENT "NORTHERN EMPLOYMENT", MAY 1975 MARKED  
AS EXHIBIT #561)

(DOCUMENT "THE TASK", NORTAN, MARCH 1976, MARKED



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1 EXHIBIT #562)

2 MR. HOLLINGWORTH: Thank you  
3 sir.

4 A 2. Recruitment and  
5 selection. In order to be as effective as possible in  
6 recruitment and selection of suitable trainees, it was  
7 believed necessary to carry on these matters in coopera-  
8 tion with government agencies who have responsibility  
9 for employment and manpower development in the Territories.  
10 With this in mind, our efforts have been coordinated and  
11 carried <sup>out</sup> in cooperation with representatives from Canada  
12 Manpower and the Northwest Territory Employment Division.

13 It is our belief that in so  
14 doing, a more complete range of industry and government  
15 services and opportunities can be made available to  
16 individuals desiring training or employment.

17 3. Trainee orientation.  
18 To assist in preparing the prospective trainees for  
19 training and employment in the petroleum industry, an  
20 orientation program was developed in cooperation with the  
21 N.W.T. Department of Education. This program is offered  
22 at A.V.C.T. Fort Smith and financed by Canada Manpower  
23 for all those trainees deemed eligible under their  
24 criteria. The program consists of safety, first-aid,  
25 fire fighting, driver training and education, job  
26 information and some life skills exposure.

27 All trainees are tested to  
28 determine the educational grade level at which they are  
29 functioning, which assists in planning their future  
30 training activities. Trainees completing the orientation



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1 program are then moved directly to the industry training  
2 on the job site with their families if they are married.

3 4. <sup>Industry</sup> Industry supervisor's

4 seminar. In order to prepare industry supervisors,  
5 and co-workers, who are or may be responsible for training  
6 the northerners, a number of two day seminars were  
7 organized. These seminars have been held in both Fort  
8 Smith and Yellowknife, and usually are planned to coincide  
9 with the trainee orientations previously mentioned so that  
10 new trainees might have the opportunity to meet their  
11 future job supervisors.

12 The seminar attempts to provide  
13 the industry supervisors with a detailed understanding  
14 of the Nortran Program, government's involvement and  
15 the supervisors' roles and responsibilities in the  
16 program. In addition, the Northwest Territory Government  
17 representative and representatives from native political  
18 organizations assist by providing an opportunity for the  
19 supervisors to discuss training and employment issues as  
20 viewed from a northern native perspective.

21 5. <sup>Monitoring</sup> Monitoring and evaluation.

22 In order to monitor the training on the job and evaluate  
23 the individual trainee's progress, a system using the  
24 DACUM approach was developed. DACUM is an acronym  
25 meaning Develop A Curriculum. A skill profile is  
26 developed listing all the tasks in logical sequence that  
27 an individual must be able to perform in order to be  
28 proficient in a particular vocation.

29 Industry training coordinators  
on Nortran staff use the DACUM system to monitor and  
evaluate the tranee's progress on a regular basis.





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The need for upgrading, special skill training or other problems on the job are identified by this means. Arrangements are made with the employing company to modify or correct situations that are likely to create problems in the trainee's progress and development.

6. Counselling services. In order to assist trainees to adapt to living conditions and working conditions in the petroleum industry, Nortran provides two distinct counselling services. One aspect provided by northern counsellors, assist the trainees and families in relocating to the training sites, introduces them to their job supervisors and co-workers, and familiarizes the trainees with the community and resources and facilities available. The Nortran counsellors are on call for assistance and guidance in any personal or family matters and provide support to the trainee and family in meeting the job responsibilities. The second function is provided by the industry training co-ordinators for the trainees, which consists of educational and career guidance. As trainees progress through the DACUM system, they have available the services of the industry training co-ordinators in arranging upgrading programs, special technical courses, and other training which might be required to continue development on the job.

7. Government contributions to training efforts. Various government agencies have contributed to the development and implementation of the Nortran program. The Northwest Territories and Yukon Governments each



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provided an industry training co-ordinator on a secondment basis to Nortran. These individuals were involved in the planning and development of many aspects of the program, in particular the DACUM system and the trainee orientation. Both of these government members have now been replaced with regular members of the Nortran group.

The Federal Department of Manpower & Immigration has also been providing assistance to the trainees and Nortran. Training on the job contracts are negotiated with Canada Manpower for most of the southern training positions and some in the data, whereby Canada Manpower reimburses a percentage direct of the wage costs during the trainee's initial period on the job.

In addition, the manpower mobility program has been very helpful in re-locating trainees from the Northwest Territories and Yukon to training sites in Alberta and Saskatchewan.

8. Trainee Meetings. From time to time Nortran has arranged general meetings of the trainees in Alberta and Saskatchewan and in the delta, to discuss and recommend improvements in policies and programs administered by Nortran. We believe this gives the trainees an understanding of policies and procedures in effect at that time, and gives Nortran an appreciation of the concerns and problems of the trainees in an opportunity to respond to their needs.

9. Trainee Benefits. Because it is hoped that the northern trainees will choose to return north when suitable



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1 jobs are available there, their residence in the south  
2 is looked upon at this time as a temporary arrangement,  
3 although trainees with five years' experience in the  
4 program may not think of this as temporary. For this  
5 reason all trainees in Alberta and Saskatchewan are  
6 eligible for subsidized accommodation, additional vaca-  
7 tion benefits, and subsidized vacation travel to return  
8 to their homes in the north. Trainees are encouraged  
9 to maintain <sup>their</sup> association and ties with their friends  
10 and families in communities in the north.

11 10. Continued Employment Opportunities. Perhaps the  
12 most important component of the program is the commitment  
13 on the part of the participating companies to offer  
14 continuing employment to trainees, regardless of whether  
15 gas plants and pipelines are built in the north. In  
16 this way trainees are provided the opportunity for a  
17 career in the petroleum industry as long as they continue  
18 to carry out their responsibilities in a satisfactory  
19 manner.

20 The foregoing has been a brief  
21 description of the major components of the Nortran  
22 program. The emphasis has been on the operational phase  
23 of the petroleum industry, because this is where we believe  
24 the long-term career-oriented type of jobs and  
25 positions will be.

26 However, in addition to these  
27 efforts, Nortran has made some modest efforts in  
28 providing work experience for northerners in both  
29 pipeline and civil construction projects. In the summer  
of 1975, in co-operation with Alberta Gas Trunk Line,





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1 Canadian Arctic Gas, the Canadian Pipeline Advisory  
2 Council, and Canada Manpower, Nortran was able to provide  
3 work experience on Alberta Gas Trunk Line construction  
4 projects in Alberta for a number of Northwest Territories  
5 residents. The ability of these persons to adapt and  
6 cope in this environment is indicated by the fact that  
7 three young people were offered continuing employment  
8 on the Interprovincial Pipeline extension being built  
9 from Sarnia to Montreal, and performed successfully in  
10 that environment. The co-operation, assistance, and  
11 understanding received from both unions and contractors  
12 in this endeavor is reason for optimism that northerners  
13 will have ample opportunity to participate in pipeline  
14 construction<sup>project</sup> if they choose to do so.

15 A major problem that will have  
16 to be resolved by the companies participating in Nortran  
17 is ways and means to provide continuing opportunities  
18 for current Nortran trainees to progress and develop as  
19 tradesmen and technicians during the construction  
20 period. During construction, it is anticipated high  
21 rates of pay will be available in the north for many  
22 jobs in the unskilled and semi-skilled areas. These jobs  
23 will be an obvious attraction to northerners  
24 presently being trained and employed in the south.  
25 It is our belief that through careful co-ordination and  
26 co-operation of the various jurisdictions involved,  
27 Nortran trainees can participate in the construction pro-  
28 jects in work related to their training and experience  
29 in the operational areas, and become better prepared  
30 for jobs in the operational phase of the proposed



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1 pipeline and gas plants. On behalf of our sponsoring  
2 companies, Nortran has participated in exploratory  
3 discussions with Federal and Territorial Government  
4 officials regarding what we refer to as a "Manpower  
5 Delivery System" which would function for at least the  
6 duration of the construction project -- the construc-  
7 tion period, pardon me.

8 It is hoped that such a system  
9 would have the support of all the relevant jurisdictions  
10 involved in training and employment during construction  
11 of pipelines and gas plants in the Territories, and that  
12 a co-ordinated approach to these matters would ensure  
13 maximum opportunities for northern residents.

14 In conclusion, Mr. Commissioner,  
15 my experience in this program to date, leads me to believe  
16 that continued co-operation between government, industry,  
17 unions and northerners, a competent, capable work force  
18 from the Northwest Territories and the Yukon can be  
19 prepared to fill their role in manning and operating  
20 the petroleum facilities in Northern Canada.

21 Q Thank you, Mr. Virtue.  
22 Mr. Giroux, I'd ask you to read your evidence in chief,  
23 please.

24 WITNESS GIROUX: Mr. Commis-  
25 sioner, my responsibility will be to comment in more  
26 detail on certain aspects of the Nortran program.

27 I believe it might be helpful  
28 to review some history relating to the organization  
29 and development of the A.G.T.L. training program prior  
30 to the transfer of administration to CAGSL.



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The program was conceived by the Alberta Gas Trunk Line Company Limited, a major participant in Gas Arctic in the spring of 1970, and publicly announced to the Commissioner of the Northwest Territories early that fall, prior to the 1972 Pipeline Guidelines being issued. At that time, I was approached by A.G.T.L. to plan and implement the program which officially commenced on January 1, 1971.

The primary objective was to train northerners to the extent that they would be able to work on an operating pipeline as competent technicians and supervisory staff, and be capable of training other northerners in pipeline operations and maintenance.

A number of guidelines were established for the program, including the following:

1. Availability of permanent employment with A.G.T.L. with the option of either remaining with A.G.T.L. in the south, or returning north when jobs were available there.
2. Subsidized completely furnished accommodations for families as well as single trainees.
3. Travel assistance and travel time when returning home for vacation.
4. Training methodology based primarily on training on the job with early promotion to responsible positions based on individual merit and competence.
5. A supervisor to assist all trainees and families in their adaptation to a new and sometimes alien work and living environment.





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In the late fall of 1970, 16 northern residents representing 11 communities in the Northwest Territories and the Yukon were selected in cooperation with the Government of N.W.T. and Canada Manpower in the Yukon. These new trainees comprised of Indian, Metis, White and Inuit were headquartered at Rocky Mountain House in west-central Alberta. This community of 3500<sup>persons</sup> was selected as the initial training centre mainly because of the environment and small-town atmosphere similar to the north in many respects, and the close proximity to major pipelines and associated operational facilities.

Upon arriving at Rocky Mountain House, the trainees received medical and audio examinations and driver and first-aid training. They were also given demonstrations and instructions on safety equipment and procedures. They visited the company's head office and service center where they received information about the functions of various technical groups and departments.

They were then divided into small groups for approximately ten weeks exposure to the various operating departments on a rotational basis. This provided the opportunity for supervisors to assess each individual, and provided some basis for choice of future training<sup>and</sup> career development. Those persons academically qualified for technical training were to spend some time being trained as proficient gas transmission operators prior to entering technical apprenticeship programs. The trainees were also assisted



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and encouraged to participate in community recreational functions such as hockey, curling, basketball, badminton, etc. The recreational highlight was a return north of a trainee hockey team for a series of hockey games.

Familiarization and indoctrination period of approximately three months was followed by trainee transfers to various locations throughout the A.G.T.L. system in Alberta where sufficient workload and opportunities were available to accomodate additional staff.

Eventually, the northerners, who, for the most part, adapted to their environment and responsibilities very well, were integrated into the regular work-force where many remain today, awaiting the opportunity to return north.

During the course of the A.G.T.L. Program and prior to the merger and subsequent transfer of administration to CAGSL in May 1973, the number of trainee positions was increased to 25. A.G.T.L. management felt that any additional numbers would be difficult to place within the company on a permanent basis should the pipeline application be rejected.

Recruitment and selection was maintained on a continuous intake basis during the course of the A.G.T.L. Program until May 1973. Subsequently, 20 trainees and a supervisor were placed under the administration of the newly formed and expanded CAGSL Program. At that time, 13 trainees who had commenced training in 1971 still remained with the program. The total attrition over the three and a half



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year period was 44 percent. The original A.G.T.L. Program which, through merger, evolved in 1973 into the CAGSL Program, eventually became known as Nortran in late fall, 1974.

I would now like to briefly discuss how the program functions, and provide some information on the progress and levels of accomplishment which have been attained by certain trainees.

The emphasis of the training program is on career development rather than straight employment, the primary objective being to assist each trainee to reach the highest level possible within the job hierarchy based on individual capability and motivation. To broaden the scope of recruitment and to accomodate those persons most in need of training and employment, the participating companies have lowered basic standards of academic qualifications and experience, which are usually mandatory for southerners seeking similar positions. Thus, the onus falls on Nortran to provide the trainees with the necessary upgrading to acquire the skills required for occupational progression on a competitive basis with their southern co-workers.

Examples can be cited of trainees selected with minimum education requirements who, after a period of exposure to pipeline operations have been enrolled in vocational schools for up to eight months of general upgrading. This prepared them for entrance examinations and subsequent indenture into technical apprenticeship training programs.

One trainee, an Inuit from the





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central Arctic who joined the A.G.T.L. Program in 1971, functioned at about a grade six level and experienced considerable difficulty in communication, both writing and verbal. Today, following exposure to the industry and upgrading at the Alberta Vocational Center, he holds a regular job as an apprentice gas measurement technician.

Many trainees are able to cope with home study courses, supplemented by tutoring, short institutional courses or night classes as required. There has been some fine progress in the fields of power engineering, electrical and mechanical trades, gas production, processing, transmission and related maintenance trades. Some trainees have received journeyman status and other apprentices and technician trainees are well on their way to becoming qualified in their respective trades. In addition, there has been some construction trade training which traditionally, is of a temporary or seasonal nature, and other short-term employment in which Nortran has assisted approximately 50 northerners to find employment.

However, the emphasis is still placed on permanent long-term training generally related to operations and maintenance of facilities.

Next, I would like to provide some additional information on some of the program components described by the manager of Nortran.

1. Community information. Over the past five years, all communities in the Mackenzie Corridor have been visited, many several times, to provide information to persons interested in participating



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1 in Nortran. These visits are often arranged and conducted  
2 in cooperation with the Employment Division of the  
3 Government of the Northwest Territories and Canada  
4 Manpower. Originally, the main purpose of these visits  
5 was to inform northern residents of job and training  
6 opportunities within the industry. However, the format  
7 has changed somewhat and that we are now searching out,  
8 in advance, those individuals who have applied for  
9 training and we combine personal interviews with informa-  
10 tion.

11 Nortran is apprehensive about  
12 transplanting contented persons from a satisfying  
13 livelihood and environment to a wage economy situation  
14 under false pretenses. This is not only detrimental  
15 to the individual, but to the credibility and operation  
16 of the training program as well. We do our best to  
17 present the facts, good and bad, about the commitment  
18 and responsibilities which fall hand in hand with  
19 training and employment in the south or north.

20 This task falls primarily on  
21 the shoulders of our Nortran Counsellors, native  
22 northerners themselves, who can best communicate with  
23 other northerners and describe in some detail the  
24 advantages and disadvantages of participating in the  
25 program. They discuss job requirements, living conditions,  
26 and the loneliness, discrimination and difficulties  
27 of adjusting to an often alien environment and society.  
28 Special benefits available to Nortran trainees are  
29 explained in some detail.

30 They include subsidized



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accommodation and vacation travel costs, extra vacation travel time, transportation on shift changes, north of 60 , counselling services and upgrading programs.

Two of our current counsellors were originally Nortran trainees themselves, and have experienced first-hand the difficulties and frustrations as well as the personal satisfaction of accomplishing the goals they set for themselves.

Another effective means of communication about Nortran occurs when trainees return to their home communities on vacation.

2. Recruitment and selection. This process is obviously one of the most difficult and vital components of the program. Naturally, high turnover and poorly motivated recruits would have a detrimental effect on the attitudes of supervisors. Nortran counsellors are largely responsible for this function. In most cases, they are personally knowledgeable of many of the applicants. Each counsellor interviews and assesses applicants from the region he is most familiar with. Applications for training are received by Nortran through a number of sources: directly from applicants, referrals from Canada Manpower, N.W.T. Government and other trainees, participating companies, Nortran counsellors and other staff, N.W.T. high school counsellors.

We attempt to fill the vacancies which occur as a result of regular turnover on a continuous intake basis from an eligibility list. Interviews are conducted any time our staff visit the





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1 north. In addition, twice a year, we initiate  
2 major recruitment programs in cooperation with Canada  
3 Manpower and the Government of the N.W.T. who provide  
4 representatives to accompany us to the communities.

5 It might be interesting to  
6 note that to date, we have in excess of 400 applications  
7 for future training opportunities. This is some indica-  
8 tion of the interest the program has generated amongst  
9 northerners.



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In conclusion it should be noted that knowledgeable community residents are often consulted for their opinions and recommendations concerning applicants for the programs. Occasionally under special circumstances, it is possible to bring an individual to the actual work site for an interview which might include the plant superintendent or foreman. Logistics generally make this rather difficult, and it is more often the exception than the rule.

3. Trainee Orientations - these programs are usually held twice a year at A.V.T.C., Fort Smith, when a substantial number of positions, perhaps 12 or 14, are available, either newly created by the participating companies or through normal attrition.

Nortran counsellors attend these sessions to act as resource persons and assist the instructors whenever possible. For example, one of our counsellors will be providing First Aid instruction at the next orientation. IN addition, we frequently invite employing company representatives to meet their prospective trainees at Fort Smith and provide job information.

The nine orientations held to date have usually been three weeks in length and have included:

- effective community living
- driver training
- survival training
- First Aid, safety and firefighting
- job information.



Belin, ~~Charles~~, Virtue  
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- food preparation and vehicle purchasing.

We've had nine of these orientation programs to date running from September, 1973 to November, 1975. We're planning to hold another in April, later this month and to date 104 trainees have gone through these orientation programs.

4. Industry Supervisors' Seminars. Over the past five years I have had occasion to work with a few supervisors who had a somewhat negative attitude towards the training program. Training northerners can easily be considered a burden by a production-oriented supervisor if he does not understand why it is being done. Naturally, if the supervisor is down on the program, this will reflect on his subordinates who are probably the immediate supervisors or co-workers of the trainees.

It is very encouraging to observe the change in attitude that often occurs as a result of our Industry Supervisors' Seminars. The most negative often become our strongest supporters; however, an attitude of acceptance and co-operation must also be imparted to the co-workers. So in addition to these seminars, Nortran staff visit all training sites regularly to explain to everyone the objectives and reasons for the program, and particularly why special benefits are offered to the trainees.

We have conducted nine of these seminars from September '73 through to October of '75, and we're planning another one later this month, and to date 176 representatives of participating companies have





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attended.

In addition, joint meetings of the Steering Committee and industry supervisors were held at Trout Lake on June 15th and 16th, 1974, with 20 representatives in attendance; and on September 13th and 14th, 1975, with 22 representatives in attendance.

5. Counselling Services. The program simply would not succeed without the counsellors. Nortran has five counsellors, all northerners, four of whom are native. Having acted directly in that capacity for three years, I am convinced that most northerners, many of whom have never been south or employed in a wage economy on a permanent basis, in the south or north, simply could not cope without the added support of a counsellor who must be a friend and confidant. It is an extremely difficult role as the counsellor must walk the line between trainee and supervisor, gaining the trust and respect of both, while often being called to act as an intermediary in conflicting situations.

Rather than describe the role of the counsellor any further, we are pleased to have Mr. Richard Behn on this panel, who will speak on this subject later.

In conclusion, I would like to make one or two comments on the program in general.

Many people gauge the success of any training or special employment program largely on the attrition rate. Common to industry and government alike, we experience and expect a certain amount of turnover within the program. Combined attrition for all



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seven participating companies for the year ending December 31, 1975, was approximately 35%. The drop out rate for trainees located in the delta usually exceeds that in the south. Training opportunities in the delta exploration field are often not as attractive, other jobs are plentiful, and home is often too accessible. Traditionally, these types of jobs experience a high turnover of staff. Most program dropouts are not considered failures. I believe some have gone on to other jobs better equipped and qualified through their exposure to the training program. Many have experienced living in the south and are much more appreciative of job commitments and responsibilities required, in both a northern and southern work environment. In my opinion the main factor causing dropouts, particularly in the south, is loneliness. Many dropouts have applied to rejoin the program and some have returned, depending on circumstances that led to their termination.

When judging the significance of a dropout rate as it relates to program success, remember that we are looking for total commitment on a career-oriented basis of northerners, many of whom are very unsophisticated, have less than a high school education and know very little about the industry. How many persons sitting in this room today are employed at the same job they selected upon completion of school? Very few, I would suggest, yet we expect it of northerners who have much less opportunity to make a wise decision. That is why it is so important for these young people to receive the support and encouragement of all



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1 northerners back home, if they are to succeed.

2 Finally, I would like to state  
3 that the overall rate of attrition, occupational pro-  
4 gression, and adaptation to a wage economy and largely  
5 southern environment has indicated that many trainees  
6 have been successful in their endeavors. A number of them  
7 have reached the level of competency required to function  
8 in the technical and operating categories of a northern  
9 pipeline and gas plants. They are training other north-  
10 erners in the south.

11 Clearly the most significant  
12 problem facing the trainees, and consequently the program,  
13 is loneliness. This applies particularly in the south  
14 where many wives and families experience difficulty  
15 coping with the problems. Unfortunately, this is an area  
16 of concern largely beyond our control, and efforts to  
17 alleviate the situation have met with little success.

18 I have always personally  
19 maintained that if northerners do not benefit substantially  
20 in terms of meaningful jobs and training as a result  
21 of petroleum development, then that development should  
22 not occur. Over the period of my involvement with this  
23 program, I have become convinced of the sincerity of  
24 the efforts of the participating companies to make this  
25 program succeed. If this were not the case, I would not  
26 be part of it. My continued participation in this  
27 program is also indicative of my belief that the  
28 program is in the best interests of northern people  
29 and my optimism that the program can succeed in meeting  
30 its objectives. Thank you.





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1 Q Sir, attached to Mr.  
2 Giroux's evidence are various appendices that list  
3 the current list of trainees indic ating home settlement  
4 occupation, location, the list of current training  
5 positions by company and occupation; trainees enrolled  
6 in apprenticeship and power-engineering programs,  
7 trainees currently using DACUM and trainees sponsored  
8 in special programs initiated by Nortran.

9 I'd like to make those  
10 exhibits if I could, sir.

11 Mr. Behn, could you read your  
12 evidence in chief, please?

13 WITNESS BEHN: Mr. Commissioner,  
14 I have been asked to appear on this panel as a member  
15 of the Nortran counselling staff.

16 In essence, there is only one  
17 objective which provides for a viable and meaningful  
18 program. As I see it, that objective would be to orient,  
19 not convert, the northerner to a southern lifestyle and  
20 wage economy in such a manner that he or she is a capable  
21 and productive member of that system.

22 The duties of a counsellor  
23 are varied and difficult to list as pertaining to the  
24 above-mentioned objective. The reason being that with  
25 each individual, similar problems have to be dealt  
26 with in different ways. Attached is a list which  
27 defines the more routine and logistical kinds of duties  
28 we have to perform.

29 The manner in which the  
30 difficulties are dealt with, to me, determines the



Behn, Giroux, Virtue  
In Chief  
Cross-Exam by Bayly

1 degree of success relative to the stated objectives of  
2 Nortran. I believe Nortran's policy of counsellors  
3 being from the north has contributed to the success of  
4 the training program.

5 I have had concerns about the  
6 effects of the Mackenzie Valley Pipeline, if approved,  
7 is going to have on the native people. I suspect that  
8 development of one kind or another is going to continue  
9 in the north for some time to come. Such development  
10 will entail influxes of other people and other ways of  
11 life. It used to be that southerners who came north shifted  
12 more towards the native way of life, but with the  
13 advances made by the technological world, the native  
14 people are now having to change very rapidly towards the  
15 lifestyle of the southerner. I see this program as a  
16 start to northerners being able to compete in the  
17 skilled labor force and maintain his or her identity as a  
18 northerner.

19 MR. HOLLINGWORTH:

Thank you, Mr. Behn.

20 Attached to his evidence, sir, is the job outlines for  
21 a Nortran counsellor, and I'd like to file those as an  
22 exhibit, if I could.

23 That completes the testimony  
24 in chief of this panel and it's now available for  
25 cross-examination.

26  
27 CROSS-EXAMINATION BY MR. BAYLY:

28 Q Mr. Virtue , on page 2  
29 of your evidence you described Nortran's program as  
industry-based, and I take it that you mean by that



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 that industry provides the locus and the expertise, and  
4 industry provides part of the funds with government.

3 WITNESS VIRTUE: That's correct.

4 Q Now, there is some indi-  
5 cations in your evidence that the training program will  
6 be transferred to the Territorial Government at the  
7 commencement of construction or prior to that, is that  
8 correct?

9 A No sir. I didn't mean  
10 to imply that.

11 Q You have said at page 8  
12 in the last complete paragraph that you'll be co-  
13 operating with the Territorial Government in--

14 A Yes.

15 Q -- the setting up of  
16 a "Manpower Delivery System" that you've called it.

17 A Yes sir, that's correct.  
18 We've been talking about a Manpower Delivery System  
19 and what I tried to indicate, Mr. Bayly, that right  
20 now we're working with the N.W.T. Employment Division  
21 and Canada Manpower, which as you know is a federal  
22 agency, and we work in co-operation with these two  
23 agencies right now in our program.

24 Q I'm looking now at the  
25 evaluation of the Nortran training program that was  
26 prepared by Dr. Charles Hobart and others at page 6,  
27 and in the third point -- have you got a copy of that  
28 report, sir?

29 A Yes we have.

30 Q It states there that





Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 the training task force developed the following  
2 objectives, and the third objective says:

3 "To co-operate with the Territorial Government  
4 Departments in order that the respective  
5 governments may assume the major responsibility  
6 for administering and operating the training  
7 programs at the earliest practical date,"  
8 and that's what led me to think that that might in  
9 fact be the case.



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1                   A     We have the training  
2     orientation at Fort Smith, Mr. Bayly and initially,  
3     when we started out, we provided all the instruction.  
4     We developed the curriculum and Nortran did it. We  
5     have -- are now in the position I'm pleased to say, that  
6     the Department of Education, largely looks at the  
7     curriculum and provides the instructional resources to  
8     put on that kind of program. So, in that sense, yes,  
9     we have turned the operation and administration of that  
10    segment of the program over to the government.

11                   Q     With regard to the on-the-  
12    job training part, if I can call it that, you would  
13    anticipate that industry would continue that after pipe-  
14    line construction has commenced?

15                   A     Yes, I do.

16                   Q     Now, this Manpower  
17    Delivery System, is that the one that is known in the  
18    government as the "Teris Program"?

19                   A     No, it's not.

20                   Q     That's a different one  
21    entirely, is it?

22                   A     The Manpower Delivery  
23    System is just a term that, I think, we coined when we were  
24    discussing how and by what means and what is the best  
25    means of maximizing the opportunities for northerners,  
26    and various communities throughout the north, how they  
27    get from where they are, to where they need to be to  
28    obtain training and employment during the construction  
29    periods. So, that's just a term we coined.

30                   Q     Now, on page eight of your



Behn, Giroux, Virtue  
Cross-Exam by Rayly

1 evidence, you say that this Manpower Delivery System  
2 will continue through the construction phase and that'll  
3 be delivery of things for which you are not at present,  
4 training people?

5 A That's right. We're not  
6 training people in the construction phase to any degree  
7 at this particular time. I pointed out in my testimony  
8 that we've concentrated on the operational phases of the  
9 petroleum industry because those are where the long-term  
10 kind of career jobs are going to be. But, in addition  
11 to that, we've made these very rather modest efforts  
12 in providing work experience on construction projects and  
13 they are directly related to the kinds of things that will  
14 be presumably happening in the north.

15 Q We've heard that there will  
16 be large numbers of unskilled and semiskilled jobs on  
17 this pipeline, and I take it no matter how unskilled or  
18 semiskilled they're described as, there will still be  
19 required some training for these jobs?

20 A I would think so, but the  
21 training could be as mostly on the job and in very short  
22 duration. But, you have to know your way around a pipeline  
23 spread a little bit, I would think.

24 Q That's what this particu-  
25 lar Manpower Delivery System will be concerned with in  
26 its training aspect. Is that correct?

27 A The Manpower Delivery  
28 System that we have discussed, we really didn't talk  
29 about -- we really didn't talk about the training  
30 that<sup>was</sup> required, again, it was just a logistics thing.





Bohn, Giroux, Virtue  
Cross-Exam by Bayly

1 How do you get a person from Wrigley to where the job  
2 is, and get him there on time, with the medical, indoctrina-  
3 ted into the -- or signed up in the union if necessary,  
4 that he has the proper work clothes, that his family  
5 considerations are looked after in his home community.  
6 Those are the logistics things that are involved in a --  
7 that we talked about in our Manpower Delivery System.

8 Q So this is an expeditor  
9 system?

10 A That's a good phrase.

11 Q As opposed to a training  
12 system?

13 A Yes, yes it is.

14 MR. STEEVES: Excuse me Mr.  
15 Bayly. Mr. Commissioner, I wonder if I could tell my  
16 learned friend that Arctic Gas will be calling evidence  
17 about the Manpower Delivery System and those witnesses,  
18 I am sure, will be able to answer all of his questions  
19 about it.

20 THE COMMISSIONER: The Manpower  
21 Delivery System is supply men to work on the construction  
22 of the pipeline and Nortran basically is a program to  
23 train people to equip them to work in -- on the pipeline  
24 once you've got it built and it's in operation.

25 A Yes sir.

26 MR. BAYLY: Your particular  
27 task is not to be involved in the training of people  
28 for the construction phase of the operation?

29 A No, it is not.

3 A All right and I take it



Rehn, Giroux, Virtue  
Cross-Exam by Bayly

1 then Mr. Commissioner that we'll be hearing from Mr.  
2 Steeves' witnesses not only about the logistics of  
3 delivering people, but any training that will have to go  
4 on to familiarize them with pipeline spreads. Could I  
5 have that --

6 THE COMMISSIONER: I'm sure we will,  
7 and I think they may want -- I rather get the impression  
8 from this paragraph that the Manpower *During Session*  
9 is, in a sense, an idea floating around in several  
10 minds and hasn't been pinned down to -- well, I think  
11 we should give Arctic Gas a chance to pin this thing  
12 down, and by the time this panel comes along, I'm sure  
13 they'll be able to cover that ground.

14 MR. STEEVES: And it would be a  
15 very concrete evidence, not floating in the air, sir.

16 MR. BAYLY: Let's go onto another  
17 matter, if we can Mr. Virtue. You state on page three  
18 of your evidence that:

19 "Because of circumstances in the north, education  
20 job entry requirements would have to be reduced."  
21 We heard last week from Nellie Cournoyea that in general,  
22 tenth grade is the basic requirement for many of these  
23 jobs. Would you agree with that?

24 A For many of the trades and  
25 technical areas, grade ten is about a minimum level,  
26 Mr. Bayly, yes. But we do have other kinds of jobs with  
27 people with lower education and that, that they can  
28 aspire to those. Like a heavy equipment operator, rough-  
29 neck, derrick man, clerk expeditor, etc.

Q All right. You do do



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 upgrading with your program as well, I take it?

2 A Yes we do.

3 Q At what level do you  
4 determine that upgrading<sup>is</sup> feasible within the program?

5 Do you have a cutoff below which you would steer people  
6 into something else, grade six or something similar?

7 A Well, let me see if I  
8 can explain that. In our recruitment and selection  
9 process, we would interview an individual. If he was  
10 aspiring to a job in a gas plant which normally required  
11 a grade ten educational entry level, and he only had  
12 grade eight, what we would do is encourage him  
13 to return to the A.V.T.C. at Fort Smith,  
14 and under sponsorship by Canada Manpower or the N.W.T.  
15 Government, upgrade his education to grade ten level,  
16 at which time we<sup>would</sup> consider him again. This is why we  
17 like to do our recruitment and selection in cooperation  
18 with these government agencies because it brings this  
19 whole range of programs in training of manpower develop-  
20 ment before the person we are looking at.

21 Q All right. We heard  
22 also from Mrs. Cournoyea that in house to house visits  
23 that she's done on behalf of the Committee for Original  
24 People's Entitlement, she finds that a lot of people's  
25 highest level of aspiration may be a job like that of a  
26 truck driver. How do you determine that somebody wants  
27 to be a gas plant operator if he doesn't know what a  
28 gas plant is?

29 A With difficulty sir.  
30 Perhaps, Art, would you -- could I pass that question  
along to Mr. Giroux here?





Behn, Giroux, Virtue  
Cross-Exam by Bayly

Q Certainly, yes.

WITNESS GIROUX: Thank you  
Barry.

A I guess largely, most of  
the training opportunities that we have in the south  
are geared towards the apprenticeship type programs. I  
think we do the best we can in terms of our community  
information visits, explaining that the type of work  
involved -- when I say that, it's difficult to describe  
or indicate what differences there are between working  
in a compressor station and a gas plant. It's extremely  
difficult. We do have this little booklet, I think, that  
was entered as an exhibit, that describes some of the  
positions. I think, by and large, a lot of trainees  
talked to other trainees who are on the program and get  
information on gas plants, gas production fields, this  
type of thing from other trainees.

We try to assist northerners  
to make the wisest choice. Often they don't. Although  
we don't encourage it, we have on a number of occasions,  
moved an individual from one type of training to another  
type. So, they're not locked into a gas plant or to a  
compressor station. If they're not suitable or they  
don't aspire to that type of thing when they get into it,  
they can move on to something else.

I know that's not a very  
good answer to your question, but it is a difficult one.

WITNESS VIRTUE: Mr. Bayly, if  
I could just offer one other thing. We have prepared a



Behn, Giroux, Virtue  
Cross-Exam by Bayly

slide tape presentation that we take into the communities often and it shows in colored pictures, gas plants and people working in gas plants, and it has a commentary.

Again, that's not -- it doesn't do a very good job of describing what it's like to work in a gas plant, but it's the best that we've arrived at.

Q Would it be fair to say then that when people come to take training that, in many instances, they're coming to train for a job? They may not be sure what the job is, but they're coming down to have a look in any event.

A That's correct.

Q In some cases, they get streamed into something into for which they may not be suitable and in other cases, they may like what they get streamed into?

A I would think that's correct.

Q Now, Mr. Giroux, if we can stick with you just for a moment, on page four of your evidence you talk about a case of one Eskimo who functioned at a grade six level and is now an apprentice. Is this a fairly typical case, or is this an unusual example that you've cited?

WITNESS GIROUX: It's unusual, but it's also typical. I can --

Q If you could explain that to me--

A Well, it is an unusual case. I think probably it's an extreme, but there are a number of cases -- well not too much different. We have



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 other trainees that have come out with -- we have one  
2 fellow that had about a grade eight education and he was  
3 operating a cat in the north, and he's presently training  
4 as a controls technician on an electrical apprenticeship  
5 program which is a pretty sophisticated type of work. So  
6 there are other examples, but this would be an extreme,  
7 all right.

8 Q Now, how does this compare  
9 with the average grade levels of people as you go down  
10 the Mackenzie Valley? Is it aimed at a small percentage  
11 of people?

12 A I think in answer to that  
13 question, I would say that it's aimed at a fairly large  
14 percentage of people in a younger age group. We don't  
15 have many training opportunities for most native northern-  
16 ers, say above 30 years old because they just don't  
17 have the education. It's becoming increasingly difficult  
18 to find recruits for the program with a grade 11 or 12  
19 education in the north in the communities.

20  
21  
22  
23  
24  
25  
26  
27





Behn, Giroux, Virtue  
Cross-Exam by Bayly

Q And that brings me to my next question. In reading Dr. Hobart's evaluation it appears that there are approximately 18% of the trainees over the age of 28 years, the eldest being one person of 43 years of age. That's on page 57 of his evaluation.

A Yes, that's correct.

Q So you're really aiming at people in their mid to young '20s, I suggest; is that correct?

A I would say the majority of our trainees would be 22 to 24, somewhere in there.

Q And is the reason for that the grade level, or is it easier to attract young people because they may not be attached and have families and other obligations in the communities?

A I think it's primarily the grade level.

Q So the older ones just because of the historical development of education missed out on the achievement of the grade levels that you can deal with.

A That's correct.

Q Can you give me an idea, and this may be in Mr. Virtue's evidence, he indicates at page 6 that some trainees are married and that relocation and counselling services are available for them. How many current Nortran trainees are married and have their wives and families, if they have them, on the various sites?

WITNESS VIRTUE: I don't know,



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Cross-Exam by Bayly

Mr. Bayly .

Q Perhaps Mr. Giroux may know that.

WITNESS GIROUX: It would take a minute. I'd have to go through the names here.

Q Perhaps you could supply me that after coffee, either as a number or percentage. Have you noticed any differences between the performance of the married as opposed to the single trainee?

WITNESS VIRTUE: It really is very much an individual thing, Mr. Bayly. Sometimes the wives are very supportive and the married trainee in that situation seems to adapt better and find less difficulty with being in the south than the single trainee. On the other occasion, sometimes the wife has very strong family and community ties and really provides a pull back to the community. So it's very difficult. I cannot detect any particular difference.

Q So you don't aim your program at a married or unmarried group for any reason?

A No, we don't, sir.

Q Now, Mr. Giroux, on page 10 of your evidence there are a couple of interesting statements, at least on the surface of it, appear to be opposites. Perhaps that's not 10, perhaps it's page 9, page 9, at the top of the page you say that, "The home is often too accessible, that being a problem of training opportunities in the delta."

And then later on in the paragraph you say that



Behn, Giroux, Virtue  
Cross-Exam by Bayly

"One of the main factors causing dropouts in  
the south is loneliness,"

which would suggest to me that home is too far away.

WITNESS GIROUX:

A That's right. I think there  
have been numerous occasions in the south where trainees  
have become lonely and I think if home was easily  
accessible they would have left the program or they  
may have some problem that <sup>to them</sup> may seem pretty significant.  
If they could climb into a canoe or jump onto a skidoo  
or a pickup truck and go home, I think some would leave  
the program, and I think this is one of the reasons that  
attrition is lower in the south because home isn't that  
accessible, and they may get over some little problem  
and a month later it's forgotten <sup>about</sup> and they settle down  
to the training again.

Q So they seem to be able  
to cope with loneliness more easily in a place like  
Rocky Mountain House than they can in Inuvik.

A I don't know if you can  
cope with it easier. I don't think you can get away  
from the -- you can't run away from the problem as  
easily in the south, as you can in the delta. In the  
delta you can go home. It is easily accessible.

Q Now, you've said that  
what you're asking for -- and this is at page 9 of  
your evidence -- is a total commitment on a career-  
oriented basis of northerners, and you suggested that  
what you're asking of <sup>the</sup> trainees is something that you  
might find very difficult to ask of white southerners.  
You sort of made the example of the people in this





Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 room not having stuck with the jobs that they started  
2 out with at the end of high school or university.

3 A That's correct.

4 Q In fact, do you have a  
5 program for white southerners which goes into this kind  
6 of training and asks for this kind of commitment?

7 A Not that I am aware of.  
8 I think most companies appreciate commitment in terms  
9 of anybody they hire <sup>whether/its</sup> south or north, but we have  
10 certain subsidies and benefits built into this program  
11 and there are large costs involved with it, and I think  
12 it stands to reason that if we had northerners coming  
13 out and spending two or three weeks on the program --  
14 out for a ride, if you want to put it that way -- that  
15 the program wouldn't succeed. The companies would  
16 say that it wasn't worth the effort <sup>and the cost</sup> and the program  
17 wouldn't be in existence today. We are asking for  
18 commitment. I think one thing we point out to new  
19 trainees and prospective trainees is that they have  
20 to be prepared in their own mind to accept a career and  
21 long-term training in the south and that if they don't  
22 feel they're able to comply, that they shouldn't  
23 come out because they're only ruining or taking a spot  
24 that somebody else might fill.

25 Q Now, you do according  
26 to your evidence, Mr. Virtue, have a kind of selection  
27 process, if I can call it that. On pages 4 and 5 of your  
28 evidence you state that,

29 " The trainee orientation is conducted at  
30 A.V.T.C. for those deemed eligible under



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their criteria."

Can you let us know what those criteria are, and who  
or what agency decides what they are?

WITNESS VIRTUE: I was referring  
there, Mr. Bayly, <sup>to</sup> Canada's Manpower criteria and  
Canada Manpower, I believe, says that you have to be  
one year beyond the school-leaving age, and one year  
out of school, before you're eligible for assistance  
or financing under their programs. I should make it  
clear that all of the people who attend those courses  
are not financed by Canada Manpower. Sometimes the  
Northwest Territories Government might finance an indi-  
vidual and sometimes the employing company, if the  
person has already been placed in a training slot and  
then subsequently returned to Fort Smith for this  
two or three week training orientation and the employing  
company would pay for that.

So that was the reference there.

Q Have you assessed Fort  
Smith as a place that may have certain impacts on native  
northerners and in particular Eskimos; there's certainly  
a suggestion from some people that it may be a very  
difficult place for Eskimos to be placed for training.  
Have you that experience?

A Our training orientation  
is rather short, two or three weeks, and we haven't  
experienced any great deal of difficulty in that, so I  
really can't comment on that, I'm afraid.

Q And that, you feel, has  
to be conducted there rather than elsewhere, you don't



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Cross-Exam by Bayly

think it could be conducted in Inuvik or somewhere closer to the delta?

A Well, sir, what we wanted to do was to work in co-operation with the N.W.T. Department of Education, and the N.W.T. Department of Education says, "This is where our Adult Training Centre is and if we conduct it, this is where we'd like to do it." We think that's quite all right.

Q So it's a question of co-operating with existing institutions.

A Yes. If it was suitable to them to conduct it in Inuvik, I'm sure we'd go along with it.

Q In your evidence that I was referring to on page 9, you talk about native northerners<sup>who</sup> have much less opportunity to make a wise decision. I assume that is less opportunity than the people who are in the south where there are more career choices.

A And where they have the opportunity to observe a greater range of careers, I think, down in the south.

Q So you're not in a position then, I take it, to assess whether their choice to work in a gas plant or a compressor station is a wise one in southern terms; it may be a wise one in terms of their options.

A I'm sorry, I don't understand the question, Mr. Bayly.

Q You stated in your evidence





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at page 9 --

MR. HOLLINGWORTH: It's Mr.  
Giroux's evidence.

MR. BAYLY: I'm sorry, Mr.  
Giroux's evidence -- maybe you'd prefer to answer this,  
Mr. Giroux -- you say:

"We expect it of northerners who have much less  
opportunity to make a wise decision."

What I'm concerned with is that your trainees are people  
who have a very limited choice and when it comes to  
do  
wise decisions/you have any way of assessing whether this  
-- whether they'll be likely to carry out this long  
term commitment or whether they are going into this  
because they have a very limited choice?

WITNESS GIROUX: Well, I  
wouldn't say the choice is so limited. We have probably  
trades or  
21 different occupations represented in our program. I'd  
say that they've had less exposure -- well, most of  
them very little or no exposure to operating pipelines  
or facilities, which makes it difficult for them to  
make a selection.

Q All right, and is that  
the reason why the selection appears to be something  
that they are steered towards, rather than giving them  
a wide range of options over a lengthier period of time?

A I would suggest in part  
that that's true.

Q All right. You don't do  
that, though. You don't say, " Try two weeks in the gas  
plant, two weeks in a compressor station, two weeks in



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1                                   and maintenance  
2   the operation of a pipeline surveillance crew?

3                                   A     No, it wouldn't be  
4   practical to do that.

5                                   Q     So they may well go and  
6   take the job that their cousin has suggested is all  
7   right, because he's the guy they know in the program.

8                                   A     That's true. They may well  
9   apply for that position for that reason. I mentioned  
10  earlier that there is still an option available to them  
11  if they can't make it in a particular trade, and we have  
12  done this on a number of occasions.

13                                  WITNESS VIRTUE: I suggest  
14  that's not too much different than some southerners too,  
15  Mr. Bayly, that follow their father's footsteps, so  
16  to speak.

17                                  Q     My son, the lawyer?

18                                  A     Yes.

19                                  WITNESS GIROUX: Mr. Bayly, be-  
20  fore you go on, we have that information on the married  
21  people.

22                                  Q     Yes, I wonder if you  
23  could let me have that, Mr. Giroux?

24                                  A     In the south, which of  
25  course this is, I'm sure, what you're interested in,  
26  30 of our trainees are married and 41 are single,  
27  currently.

28

29

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Behn, Giroux, Virtue  
Cross-Exam by Bayly

Q Have the married ones been with you for a fair period of time, or is there any way of assessing that?

A Well, I would say some have been for five years and others have joined recently. They would fit in all along the way.

Q All right.

THE COMMISSIONER: The success in the program doesn't appear to depend generally on whether you're single or married, that's the point, I take it.

A I would say not.

Q That is, yes, the ones that are married take their families with them, do they?

A That's correct.

MR. BAYLY: Q Now, Mr. Virtue, on page 7 you say that northerners are encouraged to keep contact with their home communities and it is hoped that they will return to the north when suitable jobs are available.

WITNESS VIRTUE: Yes sir.

Q Are you implying from that that the native northern lifestyle is compatible with Nortran's career training program?

A No, I didn't mean to imply that.

Q Because it appears -- and you can disagree with me if you like -- that the program is oriented towards adapting people to a different lifestyle from that which they have left,





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albeit they maybe intended to go back to jobs in their own communities or in the area of their own communities. Do you agree with that?

A No, I'm not sure that I do agree with that, Mr. Bayly. The reason we encourage them to maintain their communications with their communities and families is perhaps a little selfish, but we hope that when there are gas plants and pipelines in the north that these people would exercise their option to return north and work in the operational facilities in gas plants and pipelines. We think they are more likely to do that if they maintain their ties with their communities and friends and their families in the north, so we encourage it. That's really all I meant.

Q Well, that's one side of it, and the other side of it, I suggest to you, is that you re-socialize people into southern lifestyles. Do you agree with that?

A I guess I'd have to agree that that inevitably happens if you work on a job in the south for a period of time, I would say, "Yes, I guess that happens."

Q All right, except that Dr. Hobart in his evaluation at page 20 says that, "In terms of a social impact of the program we argue that the structure of the program, at least as it affects trainees at work sites in the south was to tend to resocialize them into a new southern lifestyle."



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Cross-Exam by Bayly

1 That was the way he saw it, and I just wondered if  
2 you agreed with him.

3 A I'm glad I agreed.

4 Q You're acquainted, though,  
5 with his evaluation of your program?

6 A Yes, I am.

7 Q Now he goes on to say in  
8 his evaluation, following this quote I gave you at page  
9 20:

10 "At the same time they are confronted with  
11 attractive models subject to explicit expecta-  
12 tions, and are under a sanctioning system which  
13 in many respects punishes or at the very least  
14 fails to reward the behaviour which is in accord  
15 with the northern lifestyle. It does reward  
16 often promptly and explicitly, behaviour which  
17 is in accord with the southern lifestyle,  
18 thus socialization to the southern way of life  
19 would seem to be inevitable in the long run for  
20 those who stay in the training program."

21 Would you agree that that is one of the things that  
22 your program either attempts to do or does do?

23 A That's not the attempt  
24 of the program, but I'm sure it does. But I think there's  
25 a matter of degree in there, Mr. Bayly, and I'm not a  
26 sociologist so I'm really not qualified to comment on  
27 it. My opinion would be that yes, it probably does to  
28 some degree.

29 Q You'd say that Dr. Hobart  
30 may be putting it a little more strongly than you would, is



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 that what you're telling me?

A Yes sir.

2 MR. STEEVES: No, the witness  
3 is saying he's not qualified to answer.

4 THE COMMISSIONER: INsofar as  
5 he qualifies, he intends not to go along with him.

6 MR. STEEVES: He's agreeable.

7 MR. BAYLY: I'm not asking him  
8 for an experienced sociologist's opinion, Mr. Commissioner,  
9 it appears that his own personal opinion is that this  
10 is a stronger statement than he would make about the  
11 program. Would that be fair to say?

12 A I think that's right.

13 Q All right. You have no  
14 objection to that, Mr. Steeves?

15 MR. STEEVES: If I could, I  
16 would. I don't have any, thank you.

17 MR. BAYLY: Now, at page 125  
18 of this report as well, Dr. Hobart at the bottom, sorry,  
19 of page 124,

20 "The shock of transition is most severe for  
21 a single man sent to a location where there  
22 are no other trainees. In this situation in  
23 which he is stripped of the supports for  
24 the roles he has formerly played, once he  
25 surmounts his loneliness and homesickness  
26 feelings, the trainee is in a classically  
27 optimum situation for resocialization, if  
28 effective agents of resocialization are on  
29 hand -- at hand. We have seen that such agents





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1 typically are available in the form of at  
2 least somewhat sympathetically interested  
3 work group members. To the extent that he lacks  
4 other social outlets, the trainee involves  
5 himself with his co-workers both on and off  
6 the job, and to the extent that he does this  
7 he will tend to some extent to be remade in  
8 their image. Their interests will increasingly  
9 become his interests, and their activities  
10 his activities, their speech his speech, their  
11 values and concerns, his values and concerns."

12 THE COMMISSIONER: That's what  
13 socialization is all about, is it?

14 MR. BAYLY: According to Dr.  
15 Hobart, yes.

16 Q Would you agree that this  
17 is a process that goes on in your program, Mr. Virtue?

18 A Yes, but I think that  
19 process has gone on to a great degree with many of the  
20 young people that come into our program long before we  
21 see them.

22 Q All right.

23 A It's gone on  
24 because, perhaps of their education, their previous  
25 work experiences and so on.

26 Q All right, and Mr. Behn,  
27 I would gather that your role in this might be to be  
28 that co-worker who helps the people when they're home-  
29 sick or lonely to get adjusted to the new place that  
30 they're in and the new job and this sort of thing.



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Would you agree?

WITNESS BEHN: Yes , that's basically what I'd concern myself with, when initially he first arrives on the working site; but that's an exception to the rule, that's not the general procedure which we follow. We sit down for hours and hours figuring out where these people are going to go, why we're going to put them there, and if they're going to make it, as in staying with the program for a length of time that will benefit them somehow. But the case that Dr. Hobart was talking about in the book, I worked for the fellow that was at that place and he was an exception to the rule, and he didn't last.

Q Now, we've heard from the panel that there are somewhere between 35 and 44% drop-outs from this program, and what proportion of that dropout rate would you attribute to this kind of problem, that people just don't make it because they're lonely or they fail to become resocialized, if we can use Dr. Hobart's phrase?

WITNESS VIRTUE: There must be rather a high percentage, Mr. Bayly, would drop out or terminate from the program for those reasons. There are very few who are not capable of benefiting and absorbing the training that is being provided by the companies, so that is not a major factor. I have to conclude it's <sup>the</sup> other factor, but there's also individual choices, you know, in that as Mr. Giroux said, we are -- try to work on a career development approach, and many young people come to us looking for a job, and we



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 don't know how to tell the difference between a young  
2 man who is just looking for a job in the petroleum  
3 industry from somebody who is looking for a career in the  
4 petroleum industry. Many people after they've had this  
5 job for some time would like to move on to some other  
6 job. Which they do/<sup>and</sup>we hope and we believe that the  
7 training that they have acquired during this period of  
8 time is beneficial to them in their next job, whatever it  
9 might be.

10 Q We've heard in the various  
11 communities at community hearings from native people who  
12 have said, "Well, we like to take a job for a while and  
13 we like to go off and trap, fish or hunt, and then go  
14 back and take another job."

15 I take it your program isn't  
16 aimed at those native people.

17 A No sir, it's not. There  
18 are many things, though, that can be done to accommodate  
19 those kinds of lifestyle, if that's the right word, if  
20 the pipeline and gas plants were operating in the  
21 Northwest Territories. It's rather difficult to do it,  
22 operate on those kinds of models when you're in  
23 Saskatchewan or Southern Alberta.

24 Q But the kind of jobs that  
25 you're aiming your training at are for people who  
26 really must give up that kind of life. YOU can't run a  
27 compressor station for three months and then go off  
28 and run a trapline for three months.

29 A I would suggest that's  
30 true.

Q At least you can't come





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back after that second three months and expect to find your  
job waiting for you.

A No. You might run it for  
two weeks and then have two weeks off to do some other  
activity.

Q So you're thinking of a  
rotation basis that would allow for long periods of  
time when the person --

A I would think that would  
be possible.

Q -- could look at other  
things. You haven't looked into this except as a  
possibility.

A That's right.

Q And that really isn't  
your function, I take it.

A No, it's not, sir.

Q What Dr. Hobart has said  
may be a phenomenon that occurs in the program but it's  
not a goal of the program to resocialize the people.

A That's correct, yes.

THE COMMISSIONER: You say  
that the parents, the churches, the schools, television  
have more to do with that than you do anyway.

A I suspect it does, sir.

MR. BAYLY: All right, but before  
we leave Dr. Hobart, at page 119 in the evaluation Dr.  
Hobart lists many attributes or characteristics of a  
northern lifestyle or native lifestyle that apparently  
are incompatible with career-oriented work in the



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1 petroleum industry. He describes native northerners as  
2 people having a very great present as contrasted with  
3 future orientation, characteristic of these cultural  
4 heritages.

5 "Through the Nortran program,"  
6 he states further on,

7 "they are exposed to mature , responsible  
8 future-oriented accumulation, rationally  
9 emphasizing economic values."

10 Do you share the contrast that Dr. Hobart makes between  
11 the present oriented and the future oriented ways of  
12 looking at things? He seems to put a greater value on  
13 the future oriented than the present oriented.  
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Cross-Exam by Bayly

1 A I think I'd agree with  
2 that in a general way, yes.

3 Q He goes on at page 122 to  
4 describe life in the north as:

5 "--demonstrating an easy come, easy go cultural  
6 context"

7 That's at page 121,

8 "--in which the life experience of very many  
9 northern people does not provide them models of  
10 successfully upward, mobile people."

11 Is that something you would agree with and perhaps  
12 attribute some of the drop-out rate in your program to?

13 A I rather think the other  
14 way around, that the people in the program see trainees  
15 who have been there for some longer period of time. They  
16 look to them as models of success and I think they often  
17 aspire to do the kinds of things that they're doing so,  
18 I'm<sup>not</sup> sure that's what Dr. Hobart said. But, I see the  
19 successful trainees being models of upward mobility and  
20 that many people aspire to achieve that.

21 Q So you would say that if  
22 they look to anybody, it's to the people who have been  
23 in the program longer than they, as models?

24 A Yes sir, and that's a  
25 major source of our applications for recruitment, from  
26 friends and families of the people who have been success-  
27 ful in the program.

28 Q If they reject the program,  
29 it may be because they don't look upon these people as  
30 models?





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A That may be.

Q For themselves.

A Yes.

Q Mr. Virtue, in your  
program  
opinion, does the training involve only job skills or  
also the reorientation of people to the southern  
industrial values, examples of which may be punctuality,  
future orientation, consumerism, career planning, etc.?

A I think it involves those  
things, Mr. Bayly.

Q All right and is that what  
you mean by "life skills" in page five of your evidence?

A Yes, life skills generally.  
There was a program developed by Saskatchewan Youth  
Start and they called it a life skills -- a basic life  
skills program and they talked about responsible  
management of five areas: self, community, leisure,  
job and family, and so those kinds of things would be  
included in life skills.

Q All right. Before this  
program began, did you look at northern native life-  
styles to see whether those life skills compared in any  
way with the ones that are exhibited in northern  
community life? Mr. Behn?

WITNESS BEHN: I wonder if --  
you say that if we looked at the northern life style  
to see if our objectives were harmonious with those that  
at one time existed up here. I was born in Fort Nelson.  
I was  
I was raised in the bush until five years old. I was  
then sent to a school for three years in a Catholic



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1 institution. My dad ran a trapline. He was more  
2 concerned about punctuality and doing things right,  
3 getting things ready than you would have to showing up  
4 on a job at 8 o'clock in the morning.

5 Now, for a lot of the trainees  
6 that come south, the idea of punctuality, of punching  
7 in at 8 o'clock is not really the point that he has to  
8 learn. He already has learned that. You go outside  
9 in 50 below and you're not dressed, you know that you're  
10 going to die, right? He's learned the hard way. When  
11 you take him south and there's a conflict of somebody  
12 telling him that 8 o'clock is what life is all about,  
13 getting there at 8 o'clock in the morning, 'cause other-  
14 wise they're useless to society; yet, he has already  
15 learned that when the geese fly south in the fall, or  
16 north in the spring, he's got to <sup>go</sup> out and get something  
17 to eat and there's a -- I don't think that our looking  
18 at the northern lifestyle is as important as realizing  
19 that these guys already have those necessary skills, but  
20 to reorient them to adapt to the 8 o'clock world.

21 Q So, you're saying they  
22 may be following a different clock, but a lot people  
23 that come to your program have an idea that you have to  
24 be on the job at the right time?

25 A Well, I think that they  
26 do have to learn that other clock, but they don't have  
27 to learn that that clock is important, because I think  
28 a lot of those guys have been told so many times that  
29 they're useless to society, that they forget that they  
30 can do that kind of thing without being trained to do it.



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Cross-Exam by Bayly

1 Q All right and with regard  
2 to the other things that Mr. Virtue mentioned, did you  
3 find that those are just things that are easily converted  
4 from northern native lifestyles to southern industrial --

5 A Once somebody tells him  
6 that <sup>he</sup> is useful, and that he is a man, then certainly  
7 he has no problem with it. But, as long -- I can't say  
8 for a fact that the thought process is that he thinks  
9 he is useless so he's not going to do it. But, once he  
10 feels that he's producing or a productive member, then  
11 certainly he has no trouble with that kind of a situation  
12 where punctuality and tardiness may lead to his termina-  
13 tion.

14 Q You'd say the same things  
15 about some of the other things Dr. Hobart mentions;  
16 future orientation, and consumerism and career planning?

17 A I would say that all the  
18 native people have to learn how to live a lifestyle that  
19 is being impressed upon them now and whether regardless --  
20 or regardless of whether Nortran is here or not or a  
21 pipeline or anything, the fact is that a southern life-  
22 style is up here and you got to live with it. I mean  
23 there's ample example of those things all over the place  
24 in the north.

25 Q So you're saying that  
26 Nortran is helping people through what is an inevitable  
27 situation?

28 A Well inevitable, that has  
29 already happened and I say Nortran -- or as far as  
30 concerned, that if they do accomplish those kind of things





Behn, Giroux, Virtue  
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1 that eventually they will stand up once again and be  
2 counted<sup>with the people</sup> that they can't compete with now because they  
3 don't have -- or they haven't been exposed or if they  
4 had adopted the lifestyle that this sort of society --  
5 I'll say white society, meaning something other than  
6 native northerner, once they have adopted that lifestyle,  
7 then they will become producing and capable members of  
8 that system.

9 MR. BAYLY: Mr. Commissioner,  
10 it's ten to three and if this is an appropriate time  
11 for coffee, I can have a look to see how I'm getting  
12 along?

13 THE COMMISSIONER: Right. I  
14 think it's an appropriate time for coffee.

15 (PROCEEDINGS AJOURNED FOR A FEW MINUTES)

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Behn, Giroux, Virtue  
Cross-Exam by Bayly

(PROCEEDINGS PRESUMED PURSUANT TO ADJOURNMENT)

MR. BAYLY: Now, Mr. Virtue,  
are you acquainted with Dr. Hobart's Coppermine  
evaluation?

WITNESS VIRTUE: Yes, I read  
it, Mr. Bayly.

Q All right. Now, as I  
understand, in that evaluation and in the Nortran  
evaluation which I understand you are also familiar with,  
Dr. Hobart recommends that in the future, the petroleum  
industry would do best by concentrating its recruitment  
and training on smaller communities on the Arctic coast  
where, now, this is from the Nortran Volume, "Trainees  
recruited from these settlements might well be more  
reliable and more resistant to quitting than those from  
large and more centrally located settlements", and that's  
a quote from page 42.

MR. HOLLINGWORTH: Excuse me,  
Mr. Bayly, do you have a copy of that for the witnesses?

MR. BAYLY: I do have a copy  
of that and it is at page 42 of the Nortran Volume.

Would you agree with that  
assessment that that may be true?

A I don't think I agree with  
Dr. Hobart in that particular paragraph, Mr. Bayly.

Q So your program will  
continue to be one that seeks recruits throughout the  
Western Arctic as opposed to selecting communities on  
the basis of their isolation or central location?

A Yes, sir.



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 Q Now, you seem acquainted  
2 with that particular assessment of Dr. Hobart and can  
3 you tell me why it is that you and he part company at  
4 that point?

5 A Well, Mr. Bayly, we asked  
6 Dr. Hobart to make a report on our program and  
7 evaluation of a training program. We asked him to look  
8 at it very critically if he would, and to comment on it  
9 for us and to recommend particular areas in which we  
10 might be able to improve. As you know, having read the  
11 report, he made a number of recommendations.

12 Some of those recommendations  
13 I agreed with and some I did not. That was one of the  
14 recommendations that I do not agree with. Is that --

15 Q That tells me that you  
16 do not agree with it. I'm interested to know why you  
17 reject that as -- from your experience.

18 A Well, I think that the  
19 proposed pipeline down the Mackenzie Corridor and the  
20 gas plants, that the people who live in those particular  
21 areas should have the opportunity and access to training  
22 and employment, so therefore we will continue to recruit  
23 in the Mackenzie Corridor if you like.

24 In addition, it is my  
25 understanding that often the people in the larger  
26 centres, Yellowknife, Inuvik, Fort Smith, tend to have  
27 higher educational levels than the people in the more  
28 remote communities and the higher educational levels  
29 assist in the technical trades kind of training that we  
30 are providing.





Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 Q So for those particular  
2 jobs that you are most interested in, the people from  
3 the larger settlements may have the grade requirements?  
4 That is, the operations and maintenance jobs.

5 A That's been my experience.

6 Q Yes. Now, on page 3 of  
7 your evidence, Mr. Virtue, you state that major  
8 emphasis would be given to providing transferable skills  
9 in order that individual trainees would acquire maximum  
10 job mobility in the labour market and you stated that,  
11 on page 7 as well, no matter what happens, whether there  
12 is a gas plant built in the north or not, that your  
13 trainees will -- if they successfully complete the  
14 program presumably -- be able to get jobs even if they  
15 are in the south.

16 Now, does this imply  
17 that the transferability is a geographical one rather  
18 than that these people might be suitable for other  
19 jobs after your training that aren't related to gas  
20 plants and compressor stations?

21 A It refers to job  
22 transferability, Mr. Bayly. We could have the opportunity,  
23 for instance, if I can illustrate, of training an  
24 electrician for a gas plant. Rather than taking that  
25 particular route, we would like to train first the  
26 individual to be an electrician and if possible to have  
27 him acquire journeyman's status from the Province of  
28 Alberta or N.W.T. licencing certification criteria. Then  
29 he is mobile in the work force. He is no longer just  
a gas plant electrician, although he can do the job.



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 But he can also work  
2 in construction electrician, open up his own shop, etc.  
3 So that's our emphasis and that's what we strive to  
4 encourage.

5 Q So you are heading him  
6 towards a ticket that he could use to become an  
7 electrician in his hamlet or settlement?

8 A Yes, sir.

9 Q And does that apply to  
10 all trades or are there some that, because of their  
11 nature, don't allow that?

12 A Yes, there are some  
13 trades that because of their nature would be very  
14 difficult to be transferable, like derrick man on a  
15 rig. I can't think of how that transfers very easy.

16 Q Now, I assume then from  
17 what you say that you will be teaching skills that can  
18 be used in the north as opposed to ones that if there  
19 are no gas plants could only be used in the south?

20 A I don't look at  
21 it from that perspective. We put the trainees into  
22 training situations, Mr. Bayly, that will enable them  
23 to carry out their duties and responsibility in a job  
24 in the petroleum industry and whenever we can, we try  
25 to strive for this transferability that will enable them  
26 to go anywhere in the labour market, but I don't think  
27 we look at what skills he might have to go back to  
28 Good Hope for instance.

29 WITNESS BEHN: Could I cite  
30 an example here? We had one training as a lab



Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 technician with Alberta Gas Trunk Line. Just recently  
2 he went into real estate selling. Now, I don't suppose  
3 that he picked up too many of his real estate -- or the  
4 skills that he needed to sell real estate in the lab, but  
5 that's what he is doing now so -- but I would suspect  
6 that a lot of people that he met and the kind of  
7 experiences that he -- or the circumstances that he  
8 was exposed to would certainly make his transformation  
9 over to selling real estate a lot easier than if he  
10 would have been still up north.

11 That's just an example  
12 of how -- if we are training just in one steady stream --  
13 the guy wouldn't be able to branch out but that's not  
14 what is happening. There is a whole bunch of things  
15 happening all the time.

16 Q He might be a good land  
17 claims negotiator.

18 A Well, I suspect if they  
19 ever do settle that, he might have himself a pretty  
20 good job.

21 Q Can you tell me, Mr.  
22 Virtue, what the relationship of contractors and unions  
23 has been in your program. You have talked by way of  
24 example of people you have had in your program who have  
25 been employed in the Sarnia to Montreal pipeline  
26 construction. Did you have to work this out with the  
27 unions and contractors to allow this to happen?

28 WITNESS VIRTUE: Yes, we did,  
29 Mr. Bayly, we met with the Canadian Pipeline Contrac-  
30 tors Association and Advisory Council and that's a joint





Behn, Giroux, Virtue  
Cross-Exam by Bayly

1 group of contractors and unions. There's four unions  
4 that are involved in pipeline construction and we told  
6 them what our objectives were, which were to provide  
4 work experience on a pipeline construction spread, and  
5 we asked for their assistance and cooperation.

6 They -- the unions for  
7 their part, told us who the local agents were we had to  
8 see, said they would talk to their people, made it  
9 possible for these people to sign up. I think they  
10 signed up, Art, for 90 days, wasn't it?

11 WITNESS GIROUX: Yes, three  
12 months.

13 WITNESS VIRTUE: Some sort of  
14 special consideration that they gave them. And the  
15 contractors agreed that they would take the people on  
16 and provide as meaningful work experience as they  
17 could.

18 Q Do you feel this is a  
19 one shot affair or do you anticipate this kind of  
20 cooperation in future parts of your training program?

21 A We expect in the future,  
22 Mr. Bayly, as a matter of fact, we have discussions --  
23 have held discussions about our program for 1976  
24 this coming summer and we hope to have an increased  
25 number of northerners coming out for pipeline construction  
26 and facility construction; and what our hope is, sir, is  
27 to have the people acquire some experience over a summer's  
28 work, seasonal kind of work. If they are laid off, they  
29 do something else, come back another summer and another  
30 summer, until finally they have the more highly skilled



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 kind of jobs are capable of doing the more highly skilled  
2 jobs in these construction projects.

3 WITNESS GIROUX: I might just  
4 add that this provides an opportunity for training and  
5 exposure to the industry for people that don't have the  
6 educational requirements for the technical training  
7 part of the program.

8 MR. BAYLY: Those are all the  
9 questions I have. Thank you very much.

10 CROSS-EXAMINATION BY MR. BELL:

11 Q Mr. Virtue, I noticed on  
12 your c.v. that was distributed earlier that you are a  
13 member of the Canadian Government Delegation to the  
14 International Labour Organization Conference on  
15 Training of Petroleum Workers in Underdeveloped  
16 Countries. Could you tell us when that was, sir?

17 WITNESS VIRTUE: That was in  
18 1966.

19 Q That indicates to me  
20 that you might have some expertise in this field and I  
21 was wondering if you could just briefly describe that  
22 for us.

23 A Some expertise in what  
24 field?

25 Q Well, in the training of  
26 petroleum workers in underdeveloped countries. What I  
27 am interested in knowing is why they selected you as  
28 a delegate. What is it about you that was helpful to  
29 the delegation?

30 A Well, at that time, I



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 worked for the Provincial Department of Education and  
2 I had 11 years of experience in the petroleum industry.  
3 And we had recently set up, in cooperation with industry,  
4 the Alberta Petroleum Industry Training Centre in  
5 Edmonton, so I had some background in education. I had  
6 some experience in the petroleum industry and I imagine  
7 that's why they selected me.

8 Q I see. Have you had  
9 any experience in underdeveloped countries?





Behn, Giroux, Virtue  
Cross-Exam by Bell

1 A No sir, I have not.

2 Q Have you since had

3 occasion to study or look into the experience of  
4 training petroleum workers in under-developed countries?

5 A No sir.

6 THE COMMISSIONER: Were there  
7 any papers given, or were any conclusions reached at the  
8 conference held in Geneva on training of petroleum  
9 workers in under-developed countries? Was there any  
10 outcome of that conference?

11 A This particular kind of  
12 discussion, Mr. Commissioner, as you know is tripartite  
13 kind of arrangement between governments, industry and  
14 labor and as I recall, this was the first conference  
15 about training petroleum workers in under-developed  
16 countries, and the idea was that there would be one  
17 every four years thereafter to talk about progress and  
18 future activities.

19 I believe this was the first  
20 one and the conclusions that I recall from this confer-  
21 ence was that it would take the rather determined co-  
22 operation of governments, industry and unions in order  
23 to train these workers in the petroleum industry. The  
24 governments had certain areas of responsibilities and  
25 industry had some areas of responsibility and labor had  
26 some areas of responsibility, and they were trying to  
27 define what these areas were and how they would proceed.

28 Q Well, I guess all I'm going  
29 to say is, did they put you on the mailing lists so that  
30 you'd know what happened as the result of the conferences



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 every four years thereafter?

2 A No sir, they did not.

3 MR. BELL: I'd like to refer <sup>^</sup>you  
4 sir to the -- to section 14-F, the northerner training  
5 program, at page 19 of the first tab. There's a section  
6 there called "Potential Labor Pool Estimates of Jobs",  
7 and further down on the page, the statement appears:

8 "One of the more helpful summaries provided the  
9 Training  
Task Force was made available by the employment

10 liaison officer of the Department of Indian Affairs  
11 and Northern Development --"

12 and then the -- some of the figures are set out. It's  
13 been two years since this exhibit was filed and I was  
14 wondering sir, if there had been any effort to update  
15 these figures since then?

16 A Not on our part, there  
17 hasn't been.

18 Q Do you have any reason to  
19 suspect that there would be any significant change in  
20 these figures?

21 A No, I don't.

22 Q Well, perhaps we could  
23 look at them a little more closely. About half-way  
24 through the list of figures, there's a category called  
25 "Western Arctic Population" on a line from Fort Smith  
26 to Pond Inlet, inclusive, and under that, there's a series  
27 of categories; the second last one being "native male  
28 population, this area, living off land", and the number  
29 58 is given. Do you know if -- do you rely on that  
30 figure sir?



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 A No, I don't. This was  
2 information that I found helpful but --

3 Q Was that particular figure  
4 helpful to you?

5 A The one that I was  
6 interested was the final number that they come out with,  
7 with 520 unemployed employables. That's the one that  
8 I was interested in.

9 Q So you wouldn't rely on  
10 the figure 58 as being accurate in this case?

11 A I'm sorry, I don't know  
12 whether it is or not, and I wasn't concerned as to whether  
13 it was.

14 Q Turning to your prepared  
15 evidence sir, I understand that the Nortran program is  
16 directed primarily towards training people for employment  
17 in the operations phase of the pipeline end of the  
18 pipeline industry?

19 A That's correct.

20 Q And that you really can't  
21 give us any guarantee that the trainees of the Nortran  
22 Training Program will find jobs in pipeline construction,  
23 specifically with the Mackenzie Valley Pipeline?

24 A I can't give you that Mr.  
25 Bell, but I'm sure that other people would sure like to  
26 have the opportunity to give you that guarantee. From  
27 my point of view, I hope that the Nortran trainees will  
28 have the opportunity to work on some aspect of the  
29 pipeline and gas plant construction so that they continue  
30 to progress and develop in the technical areas that





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1 they are already being trained in. I think it'd be  
2 very short-sighted to train somebody for two or three --  
3 a number of years as a technician and then have them  
4 go back and operate -- drive a truck for instance at  
5 very high rates of pay. I'd like to see them have the  
6 opportunity to continue to develop in the technical areas  
7 so that they can then fit in easier to the operational  
8 phase of the pipeline and gas plants. That would be my  
9 objective.

10 Q I see. Well, the reason  
11 I raise this sir, is because on page eight of your  
12 testimony you say:

13 "A major problem that will have be resolved by the  
14 companies participating in Nortran is ways and means  
15 to provide continuing opportunities for current  
16 Nortran trainees to progress and develop as trades-  
17 men and technicians during the construction period."  
18 What -- could you just describe what the problem is?

19 A Well, that's what I was  
20 trying to do, but, if there's a young man training in  
21 the south, Mr. Bayly at say making a -- I'm sorry, Mr.--

22 Q Mr. Bell.

23 A Sorry. -- at a salary  
24 of 900 or a thousand dollars a month and the construc-  
25 tion project starts in the north with salaries much  
26 higher than that, it seems obvious that they would want  
27 to return to their -- the Northwest Territories or closer  
28 to their homes, and take advantage of these high rates  
29 of pay, and what I'm saying is that the companies should  
30 look at this matter and ensure that they can do this



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 and that they do it in the trades and occupations that  
2 will help them progress into the operational phase.

3 Driving a truck or being a  
4 common laborer doesn't help an awful lot in that regard.

5 Q Well, I understand that the  
6 training program has been<sup>in</sup> operation since 1971 and I  
7 must confess to be a little surprised that the industry  
8 hasn't been able to solve this problem over the last  
9 five years.

10 WITNESS GIROUX: Well, I don't  
11 think the problem's existed over the last five years.  
12 We're looking at a problem that may exist when construc-  
13 tion starts.

14 Q Well, you've been aware  
15 of the problem for five years though?

16 MR. STEEVES: With respect, Mr.  
17 Commissioner, this panel does not speak for Arctic Gas  
18 in these areas, nor does it speak I think for Foothills.  
19 I told my friend during my opening that there will be a  
20 panel dealing specifically with this problem. Surely  
21 he can defer these questions to that panel.

22 MR. BELL: Well, if I could  
23 just refer to another sentence in this same paragraph,  
24 the last sentence, you say sir:

25 "It is our belief that through careful coordination  
26 and cooperation, with the various jurisdictions  
27 involved, Nortran trainees can participate in the  
28 construction projects, etc."

29 I was just wondering who you meant when you said "our"  
30 there? You refer to "our belief".



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 WITNESS VIRTUE: The Nortran  
2 group.

3 Q Who are the members of the  
4 Nortran group?

5 A Myself --

6 MR. HOLLINGWORTH: I'm sorry  
7 Mr. Virtue, go ahead.

8 A We had a slide on there,  
9 Mr. Bell, that showed all the members of the Nortran  
10 group.

11 THE COMMISSIONER: Are you  
12 thinking of the companies?

13 MR. BELL: Yes sir.

14 THE COMMISSIONER: Well --

15 A That's not who I mean.

16 Q Arctic Gas,  
17 Foothills, the three producers in the delta, TransCanada  
18 Pipelines and Alberta Gas Trunk Line --

19  
20 MR. HOLLINGWORTH: It's been  
21 cited twice in the evidence in chief, Mr. --

22 MR. STEEVES: I think the witness  
23 wants to explain who the management of the Nortran --

24 WITNESS VIRTUE: I want to  
25 explain "our belief," sir.

26 THE COMMISSIONER: That's Arctic  
27 Gas's belief, isn't it? "Our belief", it's in their  
28 material.

29 WITNESS GIROUX: You're referring  
30 to the application at 14-F. At that time, Nortran was





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1 part of the Canadian Arctic Gas Training Program and  
2 accordingly, that was Arctic Gas's belief as well as  
3 our own.

4 THE COMMISSIONER: O.K. Every-  
5 one shared it then.

6 MR. HOLLINGWORTH: Well, I  
7 think the witness is saying and properly so, Mr.  
8 Commissioner that he can't speak for the individual  
9 companies at this time, and Mr. Steeves has pointed out that  
10 he's going to have witnesses who are qualified to deal  
11 with it later on, and so will Foothills. Surely the  
12 matter can be deferred till that time.

13 THE COMMISSIONER: Yes. I think  
14 though that the point that Mr. Virtue made -- your  
15 point is sir, I take it, that if someone has gone into  
16 your program and is getting along successfully, even  
17 though <sup>his</sup> career goal is to work as an operator or something  
18 of that sort, that experience probably puts him  
19 streets ahead of everybody else north of 60 when it comes  
20 to getting a good job on pipeline construction. That's  
21 the point you're making, isn't it?

22 WITNESS VIRTUE: Yes.

23 O Well, it's something that  
24 no one is likely to argue with, surely.

25 MR. BELL: Well, I was wondering  
26 sir if the -- one of your major problems isn't going to  
27 be obtaining the cooperation of the unions?

28 A Well, Mr. Bell, the contact  
29 I've had with the unions and I said this in my testimony,  
30 makes me somewhat optimistic that they want to provide



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Cross-Exam by Bell

1 the opportunities for northerners to participate in this  
2 project to the degree they can. So, in my contact,  
3 we've had excellent cooperation to date.

4 Q Well, if you -- if northern-  
5 ers are given a preference for jobs on the pipeline,  
6 that means that the members of the unions, assuming that  
7 they're not the same people, will have fewer opportunities  
8 for employment on the pipeline? Isn't the union going  
9 to ask for some quid pro quo to compensate them for  
10 that?



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Cross-Exam by Bell

1 THE COMMISSIONER: Excuse me,  
2 Mr. Bell, I really think that you're asking too much  
3 of these gentlemen. If the foundation of their program  
4 is co-operation from the unions, <sup>then</sup> let's find out from the  
5 unions what measure of co-operation they're prepared to  
6 offer, and Commission counsel intends to make sure that  
7 witnesses from the unions are coming to the Inquiry to  
8 give evidence so that we can all find out.

9 MR. SCOTT: So it's clear, I'm  
10 not certain that that can be done in precisely that  
11 way. It's very difficult to ask a trade union to  
12 come forward and indicate what its bargaining position  
13 will be. It seems to me that if there is a problem  
14 to be resolved between the employer, Arctic Gas, and the  
15 trade unions, any witness who can analyze the dimension  
16 of the problem or point to any potential solutions for  
17 it, might be heard on that subject. I think to ask either  
18 Arctic Gas or one of the unions, what its ultimate bar-  
19 gaining position is going to be, is not likely to produce  
20 an answer that is either real or meaningful.

21 THE COMMISSIONER: Well, I don't  
22 know about bargaining. I'm simply concerned that the  
23 unions be asked whether, what position they intend to  
24 take with respect to hiring halls, northern employment  
25 and so on and so forth, and I would rather hear from  
26 them what their intentions are with respect to those  
27 matters than get it second-hand, with all respect, from  
28 Mr. Virtue; and I think we have to ask them at least  
29 to tell us what their intentions <sup>are</sup> with respect to those  
30 matters are because the only thing we've got to go on





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1 in a concrete sense is the experience in Alaska so far,  
2 which isn't in all respects encouraging.

3 At any rate I don't think --  
4 let's suppose these gentlemen offered to answer all your  
5 questions, on these matters but I don't think it helps me. What do they  
6 know about it?

7 MR. BELL: What concerns you  
8 Mr. Giroux, at page 3 of your testimony you say that, in  
9 the first paragraph there, referring to the attrition  
10 rate in the training program, you say that:

11 "Total attrition over the 3½-year period was  
12 44%,"

13 and I'm a little confused because in the appendix ,  
14 appendix 2 to your evidence, on page 2 of that appendix  
15 the figures are given,

16 "Trainees currently on program including place-  
17 ments pending, 109.

18 Trainees who have terminated from program, 115,  
19 for a total of 224."

20 The terminations there, according to my calculation,  
21 come to 51%. I was wondering if you could -- is there  
22 a discrepancy there?

23 WITNESS GIROUX: I don't think  
24 so, Mr. Bell. I think we're looking at the total five-year  
25 program for that figure that you're referring to on  
26 appendix 2. The 44 or the 44% that I refer to in my  
27 testimony is for the first 3½-year period of the training program  
28 with A.G.T.L., and of course at that time the trainees  
29 were limited and working -- pardon me, employed by one  
30 company, and I think this was probably a major factor



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Cross-Exam by Bell

1 in the lower attrition rate over a long period of time.  
2 At the same time we did not have trainees in the delta,  
3 where traditionally you have a higher turnover.

4 This figure on appendix 2 is  
5 for the entire program to date, which was, I think,  
6 March -- sometime in March last month.

7 Q It's the most up-to-date  
8 figure?

9 A Yes, it is.

10 Q Are we to conclude from  
11 that that the attrition rate is rising?

12 A No. As a matter of fact,  
13 if memory serves me right the attrition rate for the  
14 calendar year 1974 was I believe about 45% or 50%, and  
15 last year it was down to 35%. I think that the companies  
16 themselves are becoming better trainers. I think that  
17 many of the supervisors are becoming more able to work  
18 and train northerners, to work with northerners and help  
19 them adapt. I think perhaps we are doing a better job  
20 with the selection and recruitment. We're a little  
21 more knowledgeable<sup>about</sup> the types of jobs and the attrition  
22 rate in fact is going down, at least over the last  
23 two-year period.

24 THE COMMISSIONER: When you  
25 say "the attrition rate for 1974", you mean people --  
26 the program started in 1971 or 2, somewhere in there.  
27 It's a 5-year program, as I understand it.

28 A Well, it's been going for  
29 five years.

30 Q Well, how long on the



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Cross-Exam by Bell

1 average do you expect someone to stay in the training  
2 program before he's ready to take a job with, say, A.G.T.L.  
3 on the same footing as anybody else from anywhere else  
4 in Canada would?

5 A Well, with the exception  
6 of certain subsidies and special benefits, many of the  
7 trainees are -- well, all trainees to start with are  
8 regular employees of whatever company that's training  
9 them. From day one we have quite a number of people now  
10 that are applying through open competitions on various  
11 jobs with these companies. In terms of when that program  
12 will end or when they will be qualified, we would  
13 think that training would in some cases continue for  
14 the rest of their lives; in other cases it will certainly  
15 continue until there's a pipeline and facilities in the north.

16 Q All right, let's take the  
17 position of operator 1. I notice there's someone from  
18 Fort Providence training for that position. How long  
19 in the normal course of events would someone with a  
20 Grade 10 education from Edmonton or Calgary who wants  
21 to become an operator 1, how long would it take him,  
22 on the job training with A.G.T.L. or anybody else to  
23 become an operator 1?

24 A Well, perhaps that's not  
25 a very good example, Mr. Commissioner, because they  
26 start as an operator 1.

27 Q All right.

28 A These are the positions  
29 that they hold. Maybe just as a parallel here you could  
30 look at a school bus and you've got somebody that sweeps





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the school bus out and perhaps you have somebody -- no perhaps, you have somebody that drives that school bus. You also have somebody that repairs that school bus, and most of our new trainees that come out let's say on this operator 1 category for the first few months would probably be sweeping that school bus, they're getting familiar with it, they're becoming familiar with the safety regulations or whatever around the site. From that situation they move, progress to an operator 2, operator 3, where they would be operating that school bus, driving it, and at some point in time usually after a year -- eight months to a year -- we would hope that they would begin training as technicians and eventually repair that school bus. I don't know if that's a good parallel, but that's the way it works.

Q Well, let me give you another example. Maybe we can -- at Pointed Mountain they have a gas plant, excuse me, they have a --

A Gas plant.

Q -- yes, they have a gas plant at Pointed Mountain. Now there are four people I think, who operate that gas plant. You would be more familiar with the positions they hold than I would be. How long would it take you to take a trainee of yours and qualify him to be one of those four people who run that gas plant?

A Well, we have, as you may or may not be aware, a gas plant operator is known in apprenticeship<sup>circles</sup> as a power engineer or steam engineer, and depending of course on what level of operations



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Cross-Exam by Bell

1 he is at that plant, whether he's an operator 4 or  
2 operator 3 or operator 2, that of course determines the  
3 amount of time it will take to train him. But we have  
4 operators that within six to eight months are on shift  
5 operating as a spare operator in a gas plant. Of course  
6 that's at the lowest level of an operator.

7 On the other hand, we're bringing  
8 a couple of people out, here's an example, we're bringing  
9 a couple of people to the Strathcona Refinery in Edmonton  
10 early next month and they'll be training for four years  
11 to eventually go to Norman Wells to replace southerners  
12 that are holding power house unit operators in Norman  
13 Wells, and they'll be qualified as second class steam  
14 engineers within the Northwest Territories. So that's  
15 a four-year program there.

16 WITNESS VIRTUE:

17 I think Mr. Commissioner  
18 that for the technical and senior operating jobs in the  
19 pipeline and gas plant industry, that five years is not  
20 an unreasonable period of time to look at for training.

21 Q Could I just ask you one  
22 other thing? Oh, Mr. Behn, you wanted to add something?  
23 Go ahead.

24 WITNESS BEHN: I just wanted  
25 to say that in the south that's the same progression  
26 that the people down there <sup>have to</sup> go through. Usually before  
27 they become that, the lead man on a crew that's operating  
28 a gas plant would take that length of time, five years  
29 plus.

30 THE COMMISSIONER: Yes. They'd  
31 have to sweep the school bus first and so on and so



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forth.

A That's right. Usually  
that's progression that they folbw.

Q Yes. I don't know whether  
you said this, but we've heard a lot about the Nortran  
program at hearings in communities and a lot of that  
has floated in my mind along with what you've said. If  
i've overlooked something you said earlier today, forgive  
me. How many people altogether, from north of 60 have  
entered this program, do you happen to know? Since  
its inception.

WITNESS GIROUX:

A I believe the figure is  
224.

Q All right. Now do you  
happen to know the average length of time that they  
stayed in the program?





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A No, sir.

Q Do you know how many of the 224 are still in the program? That's the figure you gave me earlier, I guess, that's one hundred and something, isn't it?

A 109.

Q 109. And you don't happen to know the average length of time the 109 who have remained in the program have been in the program?

A No, and I don't know if that average would be of any value because of the sort of a continuous provision of positions. It's of -- for example, every time as each participant joins the program and they didn't all join at the same time, they created a number of new positions. I don't know if that figure would be truly representative of an overall average. I rather think it wouldn't be.

Q Right.

A I think maybe we could say of the -- I believe the original 16 trainees that came out in 1971, 7 are still with the program so that would be --

WITNESS VIRTUE: And that's probably the general retention rate of the entire program, I would say.

Q One other thing, you said that the attrition rate had gone down from '74 to '75 from about 50% to 35%.

WITNESS GIROUX: That's correct.

Q Now, you're looking at



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the total numbers not just the people who came in during that particular year and didn't remain? Is that it?

A Yes, that's right. The total number.

THE COMMISSIONER: Sorry, Mr. Bell.

MR. BELL: Mr. Virtue, if I could direct your attention now to the subject of government assistance to the Nortran training program. I take it that the training program receives public assistance in several ways; one of which is the fact that the Department of Manpower pays the salaries of some trainees. Is that correct understanding?

WITNESS VIRTUE: They pay a percentage of their direct wage costs, Mr. Bell, for a period of time that they determine that the employee is likely to be an unproductive worker.

Q Is there an average period of time that you could refer to?

A Yes, sir. The -- for a gas plant operator, gas transmission operator, the period of time is 40 weeks and it goes down from there. It goes down to, I think we have some contracts that are 10 weeks in length for a heavy equipment operator for instance.

Q And the government assumes full responsibility for paying this person during that period?

A No, sir. They enter a contract with Nortran in this case to reimburse the employing company a percentage of their wages. They do



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not assume the responsibility for training or paying them. They just reimburse the company for having provided that training and job opportunity.

Q Is there a common percentage that they reimburse?

A At this point in time, this changes from time to time depending on manpower regulations and different plants, but at this point in time, it's about 60%.

Q And the government through its A.V.T.C. facility also provides some training orientation programs to Nortran trainees?

A Yes, they do.

Q And these would generally occur at the beginning of the training period as well, would they?

A That's correct.

Q And I understand that the government also picks up some of the relocation expenses for people who drop out of the program. Is that --

A Not for people who drop out of the program, Mr. Bell, it is for the people who are entering the program, that the government will provide manpower mobility to get them from where they are to the job site.

Q Oh I see, it's at the beginning of their --

A Yes, it is at the beginning.

Q Does the government help





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1 out in any other way?

2 A Let's see. They help  
3 us with recruitment, the trainee orientation, the  
4 reimbursement of some of the direct wages, is there any  
5 others?

6 WITNESS GIROUX: They assist  
7 us with the industry supervisor's seminars.

8 WITNESS VIRTUE: Yes.

9 Q Yes.

10 A And as I noted in my  
11 testimony, they also provided the two people to the  
12 training group on a seconded basis for a period of time.

13 Q Can you give me an  
14 estimate what the percentage of the annual cost of the  
15 training program would be borne by the government?

16 A Something less than  
17 10%.

18 Q Do you have any gross  
19 figures that you could refer to?

20 A I could give you a figure  
21 that we have claimed from Canada Manpower since we  
22 started entering into this agreement with them in 1973. To  
23 the end of 1975 we had claimed \$158,000.

24 Q If I could turn to you  
25 again, Mr. Giroux. I'm just trying to understand the  
26 process that the trainees go through, and I suppose that  
27 at some point near the beginning of the training program,  
you have sessions where the trainees are all together so  
that you can give out information and discuss mutual  
concerns.



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WITNESS GIROUX: That's correct.

This is done at the trainee orientation at Fort Smith.

Q And at these sessions,  
do you ever discuss the proposed Mackenzie Valley  
Pipeline?

A No, sir.

Q You said, Mr. Giroux,  
that one of the main reasons why trainees in the south  
leave the program is because of loneliness.

A In my opinion.

Q Yes. I was wondering  
if you had done any follow-up surveys -- any question-  
naires or anything like that to find out from the  
trainees themselves why they left?

A We have done some, not  
to any great extent. We did, interviews were conducted  
with a number of trainees that had returned about  
3 years ago. That seemed to be one of the prime factors,  
was loneliness. They felt that the jobs, the wages,  
subsidies were quite adequate, but that they truly felt  
that it would be a lot easier if they could train in  
the north. Of course, that's --

Q Of course, we know the  
problems of that.

A Right.

Q Did you ever find that  
some trainees after they had been in the program dropped  
out because they weren't really interested in employment  
in the hydrocarbon industry?

A I am sure there are some



Behn, ~~Giroux~~, Virtue  
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1 that did.

2  
3 On the other hand, we  
4 have had trainees who dropped out and returned.

5 Q You say, sir, on page  
6 8 of your evidence, I believe, that we shouldn't use  
7 the dropout rate as a criterion by which to judge the  
8 success or failure of the program. I was wondering  
9 if you could be a little more specific as to which  
10 criteria would be appropriate.

11 A Well, in terms of using  
12 the dropout rate, I believe that quite a number of the  
13 trainees have left the program and gone on to other  
14 jobs, better equipped, and I think it's rather common  
15 that programs are judged by that very thing -- the dropout  
16 rate. We don't consider dropouts as necessarily as  
17 failures. People have dropped out and I'm sure they  
18 may have been failures in one sense or another, but by  
19 and large, we don't use that as a gauge for the success  
20 of the program.

21 Q What do you use, sir?

22 A I think that's a difficult  
23 question. I think -- we have a system of monitoring  
24 trainees. We monitor their progress in their trades. Mr.  
25 Virtue explained that in the description he gave of the  
26 DACUM system. I think the best method of judging the  
27 success of a program are the number of people who have  
28 attained journeyman's status within trades.

29 The successes.

30 Q Do you have a figure for  
31 that, just offhand?





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1 A Well, we have -- one of  
2 the appendices lists various trades in the levels of  
3 status for those persons in apprenticeship programs.

4 It is appendix 3. In  
5 addition, in appendix 1 the list of trainees -- you'll  
6 note that there are a number of trainees training as  
7 technicians that may not necessarily be on an  
8 apprenticeship program because there isn't an  
9 apprenticeship program for that type of trade. So from  
10 the information on appendix 1 and appendix 3, I think you  
11 can -- that indicates --

12 Q I see. Well, if I went  
13 through this, the appendix and found a number of people  
14 who had achieved a journeyman level and compared it to  
15 the number of -- the total number of people who had  
16 been in the program, would that be a fair estimate  
17 of the success of the program?

18 A Well, I --

19 Q Is that what you are --

20 A I don't think so because  
21 a number of these people have just recently joined the  
22 program. They have got to be considered successful on  
23 the basis that they have been with the program for 2 years  
24 and they have achieved fourth class steam engineer  
25 ticket, for example.

26 WITNESS VIRTUE: Mr. Bell, I  
27 wonder if I could comment on that --

28 Q Yes.

29 A -- matter. I think one of  
the ways that you might evaluate the program is the way



Behn, Giroux, Virtue  
Cross-Exam by Bell

1 the trainees view it themselves. Some of these trainees  
2 come into the program and start at this level and rise  
3 to this level and they are quite satisfied to stop at  
4 that level, and they are doing a competent, capable job  
5 at the particular level, and have no particular desire or  
6 motivation to move up in the job hierarchy. I would  
7 suggest that in his thinking and in our view that he  
8 would have been a success.

9 Other people do aspire  
10 to higher levels so you can't always look at where they  
11 are in their job progression levels as the criteria of  
12 evaluating the program.

13 It is a subjective kind  
14 of thing but as Mr. Giroux said, we do try to keep  
15 pretty close track of their progress and monitor them  
16 regularly with this DACUM system.

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Cross-Exam by Bell

Q I'd be interested to know if you have conducted a survey of your trainees to ask if they feel themselves that the program has been a success.

A I assume they do or they probably wouldn't be there. That's one of my assumptions.

Q And so what I take from your statement is that the criterion of success is the opinion of the trainees who are presently in the program.

A Yes sir, and the demonstrable level of jobs that they hold within the industry. Those two things.

Q Mr. Giroux, I was interested in one phrase that you used on page 2 of your evidence. In the last complete paragraph you say:

"The familiarization and indoctrination period of approximately three months was followed by trainee transfers to various locations."

I was wondering if you could describe for us what the indoctrination period is.

WITNESS GIROUX: All right.

Well, this refers back to the -- when the program commenced in 1971, only one company involved, of course, and only 16 trainees. What we were able to do during that time was have the trainees exposed to different areas of the pipeline operations and maintenance field. For example, there is three major areas in operations and maintenance -- that's the compression station operations, what they call gas measurement, and pipeline





Bohn, Giroux, Virtue  
Cross-Exam by Bell

1 maintenance. So we were able to have these people circulate  
2 within these three different areas to determine  
3 what they might best be suited for. At the same time they  
4 had lectures and short seminars on various aspects of  
5 the O. & M. and in addition to First Aid instruction  
6 and this sort of thing.

7 Q Are there any materials  
8 that would be given or used by the trainees that you  
9 could make available to the Inquiry?

10 A I'm not sure I know what  
11 you mean. Materials --

12 Q Any printed materials,  
13 for example?

14 WITNESS VIRTUE: I think perhaps  
15 one of the most helpful things, <sup>might be to look at the DACUM</sup> charts that  
16 have been developed for the various occupations, Mr.  
17 Bell. We've done it for some 20-odd occupations and  
18 they show the skills that are required and we'd be glad  
19 to make that available to you.

20 Q I think some of that  
21 material may have been included in Section 14-F or at  
22 least in your evidence, I'm not sure. Is that what  
23 you're referring to here? I don't want you to have  
24 to dig it out if we've already got it.

25 WITNESS GIROUX:  
26 A I don't think there was  
27 anything in 14-F.

MR. BELL:

28 Q I'm just not sure whether  
29 we have that or not. Perhaps I could ask you to make  
30 it available to us, in any case. Thank you.



Behn, Giroux, Virtue  
Cross-Exam by Sigler

1 CROSS-EXAMINATION BY MR. SIGLER:

2  
3 Q Mr. Virtue, from your  
4 evidence where you commented on the background and  
5 historically on the establishment of the Nortran program,  
6 I take it that the industry training program was  
7 established only after the Northern Gas Study Group  
8 began their work.

9 WITNESS VIRTUE: Yes, I believe  
10 that's correct.

11 Q I take it then also that  
12 the goals of the program are specifically related to  
13 the -- to a gas pipeline or plants in the northern  
14 situation.

15 A That's correct.

16 Q Well, if that's one of  
17 the goals, what is there in the program itself that  
18 is related to the northern experience that these people  
19 might later on have working in the industry in the north?

20 A Well, sir, if there is  
21 gas plants and pipelines in the north they need opera-  
22 tors and technicians to man those facilities, and these  
23 are the kind of training opportunities we're making  
24 available.

25 Q So it would be the same  
26 experience for a person working in the industry in  
27 Southern Alberta or British Columbia as it would be  
28 working in the Mackenzie Delta at a gas plant.

29 A It would be very similar.

30 Q Now also at page 2 you  
state that a goal of -- at page 1 rather, you state



Behn, Giroux, Virtue  
Cross-Exam by Sigler

1 that the goal of the Nortran program has been designed  
2 to provide training and employment opportunities to  
3 residents of the Northwest Territories and the Yukon.  
4 Is it part of that goal to train these people so that  
5 they might ultimately return north to work in a northern  
6 program?

7 A Yes sir, that's the objec-  
8 tive and that's our hope. The companies when they  
9 entered the program, made the commitment that they would  
10 offer this career opportunity to these northerners who  
11 chose to partake of it, whether or not there was ever  
12 a gas plant or pipeline in the north. So at some  
13 point in time these <sup>young</sup> people will have a career decision  
14 to make, I hope, as to whether they return north and  
15 operate the facilities there, or whether they wish to  
16 stay in the south in their present position.

17 Q What estimates are you  
18 using as to the total number of northern people that  
19 will be required in these northern gas plants and  
20 pipeline?

21 A Well, I've seen figures  
22 from Foothills and from Canadian Arctic Gas, from the  
23 Mackenzie Delta Producers, I think they call themselves,  
24 regarding the number of people that are required and  
25 my understanding is that they say that they will try  
26 and maximize the opportunities for northern residents  
27 and man them with people from the Northwest Territories  
28 to the extent possible.

29 Q Well, perhaps I'll put  
30 my question another way. How many people is your





Behn, Ciroux, ~~Virtue~~  
Cross-Exam by Sigler

1 program set up to train?

2 A 109 right now, sir.

3 Q Is that the upper limit ?

4 A Oh, it's not an upper

5 limit, perhaps, but the reason why the numbers are rather

6 finite is because of this commitment that the companies

7 make to the northerners that they can have a permanent

8 ongoing job in the south if they want. If that's their

9 desire and that's their option.

10 Q But if there were no

11 northern pipeline or gas plant, would the program

12 come to an end?

13 A I would suspect that the

14 program would come to an end. The Nortran trainees would

15 have the opportunity to continue in the job as long as

16 they wished.

17 Q And what would Nortran's

18 obligation be on an ongoing basis if there were no

19 pipeline? Would Nortran come to an end or would it

20 keep functioning?

21 A Nortran would come to an

22 end because we are simply the administrative arm of

23 seven companies who are offering training and employment

24 opportunities to northerners.

25 Q Have you --

26 A I just wanted to state

27 again, to be <sup>sure I was</sup> understood, that the reason why we have

28 these finite numbers is that, let's take Alberta Gas

29 Trunk Line, it can only absorb so many people into their

30 system and guarantee you that they are going to have



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Cross-Exam by Sigler

continuing jobs in that system if they want to. If, sir, that there was ever a pipeline certificate or gas plant approved to be built in the north, they could very quickly and rapidly, in my estimation, expand the numbers of people that they could take onto their system for training because they would be training in the south, and then they would know that they were being transferred to the north. That's not the case right now. That's why it's relatively small numbers.

Q You see it flexible as being able to expand quickly?

A Yes sir, that's my opinion. They could do this very quickly.

Q If there were no pipeline what would happen to the 109 people that are on training right now?

A They would be able to continue their employment and training with TransCanada, Gulf, Imperial, Shell, A.G.T.L., etc.

Q But without the assistance of the Nortran.

A Without Nortran assistance.

Q Now, stated that the goal is ultimately to have these people return north to work on northern pipeline or plants, I take it then that the project -- that the program, sorry, is now being carried out in the south to such a large degree rather than in the north because there are no such pipelines or plants in the north.

A That's correct.

Q I then take it that if there



Behn, Giroux, Virtue  
Cross-Exam by Sigler

1 were a pipeline and plant, say, in the north, that the  
2 program would be revised and <sup>be</sup> made to operate in the  
3 north.

4 A That would certainly be  
5 my recommendation.

6 Q Now, on page -- if I could  
7 refer you to page 8 of your evidence, and the first  
8 sentence of the middle paragraph:

9 "a major problem that will have to be resolved  
10 by the companies participating in Nortran is  
11 ways and means to provide continuing opportunities  
12 for current Nortran trainees to progress and  
13 develop as tradesmen and technicians during  
14 the construction period."

15 First of all, how long do you think it would take to  
16 train such people in such capacities?

17 A Well, as we discussed  
18 just briefly beforehand, that probably for the operating  
19 and technical jobs it takes a minimum of four to five  
20 years to train a person.

21 Q And these are jobs for  
22 the construction period?

23 A No, sir, for the operating.

24 Q Well, in that first  
25 sentence you say:

26 "During the construction period,"  
27 are the last words of that sentence.

28 A Yes, I guess I'm causing  
29 quite a bit of confusion there. Maybe I should try again  
30 here to clarify. There is people currently training  
in the south





Behn, Giroux, Virtue  
Cross-Exam by Sigler

1 for technical jobs in the operating phase of the  
2 pipeline. When the construction period starts, there  
3 will be many, many high paying jobs available. That person is  
4 free to do what he wishes, and one of his options  
5 obviously is going to be return north and work in an  
6 unskilled or semi-skilled capacity during the construc-  
7 tion. It's my hope that they can take part in those  
8 high paying jobs, but do it in the right kind of jobs  
9 where they can continue to progress and develop in their  
10 particular trade or technical area. Does that help any?

11 Q Right. You said it would  
12 take about four years to train people to get those higher  
13 paying jobs that would be available during the  
14 construction period.





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Cross-Exam by Sigler

A No, I didn't mean to say that.

Q How long would <sup>it take</sup> to train people for those kind of jobs?

A For those kind of high paying jobs? Not very long. There's quite a large number of unskilled laborers on a pipeline construction crew and once you learn your way around the spread and the safety considerations and how the equipment moves and the sequences and so on, that wouldn't take very long.

Q But a person just wouldn't be able to walk into one of the highly paid jobs on the construction crew. They need some training.

WITNESS GIROUX: I could say something here. I don't think that's entirely true, because a lot of pipeline construction is just conventional construction, and if you're clearing a right-of-way or cleaning up a right-of-way or grading or whatever, if you have an individual that's perhaps taken the course at Fort Smith, a heavy equipment operations course and been involved with Higher North on highway construction, it's very likely he could go right onto a pipeline job in that area. Now, this of course doesn't include the specialized type of trade that naturally are required. But, for a good number of jobs; the carpenters, there are number of jobs that don't require --

Q Well, perhaps I could ask Mr. Virtue why he stated that that's a major problem?

WITNESS VIRTUE: Well, perhaps it's only a problem to me sir. I hope that these young



Behn, Giroux, Virtue  
Cross-Exam by Sigler

1 people who are training as controls technician don't  
2 leave their training and go and be a skid hustler on a  
3 construction crew. I hope that they have the opportuni-  
4 ties to continue their training as a controls technician  
5 at a good rate of pay during the construction phase so  
6 they can move on into the operational phase.

7 Q Are you familiar with what  
8 programs are available now, say in the north to develop  
9 tradesmen and technicians of this type?

10 A I'm familar with the  
11 programs that are offered at the Adult Vocational  
12 Training Center in Fort Smith.

13 Q In your opinion, should  
14 there be any additional programs established prior to  
15 construction to provide this training?

16 A I'd like to make sort of  
17 a qualified yes. I believe so. One of the things in  
18 my view that you should consider or that you have to  
19 consider is that you don't train a number of people  
20 and have them come out of the end of the training program  
21 at Fort Smith or anywhere else and say "now go home and  
22 wait until the construction starts". I think  
23 that's a very poor kind of thing to do, so yes, I  
24 believe there should be increased numbers of training  
25 programs at Fort Smith, but the timing is critical.

26 Q Has Nortran, to your  
27 knowledge entered into any discussions, say with  
28 Territorial Government officials to, discussions relating  
29 to the provision of these programs?

WITNESS GIROUX:

A I think that there have



Behn, Giroux, Virtue  
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1 been a number<sup>of</sup> informal discussions in this regard. We've  
2 spoke to the -- for example, the principal of the Adult  
3 Vocational Training Center and he certainly inquired from  
4 us what types of trades perhaps could be handled there.  
5 I think that some of the training they' re doing now  
6 is very useful to us. We've taken a number of trainees  
7 direct from their ten month electrical course at Fort  
8 Smith.

9 There have been discussions,  
10 but it's a little early yet to resolve anything, I would  
11 think.

12 Q I also take, Mr. Virtue,  
13 from your answer you gave to Mr. Bayly that if these  
14 programs were provided in the north, right now they'd be  
15 provided at A.V.T.C. in Fort Smith as long as the govern-  
16 ment directed that this would be the one facility.

17 WITNESS VIRTUE: That would be  
18 my understanding, yes.

19 Q Now, in your opinion, say  
20 if there were a pipeline and there were plants and then  
21 the program were moved north as much as it could<sup>be</sup>, would  
22 you not regard it as being best to have the programs  
23 established say in home communities such as Inuvik,  
24 or Fort Simpson instead of all being in Fort Smith? Per-  
25 haps I could ask that to the panel for their opinion.

26 A Well, I have an opinion  
27 on that and I'm<sup>not</sup> sure Inuvik is the best place or has  
28 any better than Fort Smith. It seems to me that the  
29 kind of training that will be required for the technicians  
30 and operators might take three sort of major phases if





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1 you like. ONE of the phases would be the training on  
2 the job, the hands on that they would have to get right  
3 where the compressor station or the gas plant is.

4 The second kind of training  
5 that might be required is training on the particular  
6 units and pieces of equipment that are installed and I  
7 think that it's often usual that the vendors, the people  
8 who sell those kinds of units, would provide that and  
9 they might do it wherever their manufacturing plant is.

10 The third kind of training  
11 that would take place is the perhaps the more academic  
12 kind of nature and it might take place in the technical  
13 institutes in the south or it might take place at the  
14 Adult Vocational Training Centers in Fort Smith or Inuvik  
15 if the Government decided to have one there.

16 Q What about the possibility  
17 if the program -- with say the developments here, that  
18 the program moving north and providing the courses in  
19 native languages? I take it all the programs are now  
20 done in English?

21 A That's true.

22 Q Has this been considered  
23 or talked about with the Department of Education?

24 A We haven't considered it,  
25 sir.

26 Q Now, Mr. Behn, one question  
27 I wish to ask you, at the beginning of your testimony,  
28 you state that, as you see it, "the objective would be  
29 to orient, not convert a northerner to a southern life-  
30 style and wage economy in such a manner that he or she



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Cross-Exam by Sigler

1 is a capable and productive member of that system." So,  
2 I take it that's a statement that you see your goal  
3 as a counsellor in working to obtain that objective.

4 If that's the case, if  
5 we end up with a northern program, would that not make  
6 the role of a counsellor unnecessary?

7 WITNESS BEHN: That's right.  
8 My prime objective should be to work myself out of a  
9 job, so that those people no longer need my services in  
10 anything that they encounter in the south, and I might say  
11 that out of 24 people that I'm dealing with now, I would  
12 say that three people, I would be concerned with on a  
13 basis where I would check with them regularly to convince  
14 myself that they are, in fact, assimilating so that their  
15 stay down there is comfortable. The rest of the people,  
16 I would say, some of them are better off than I am, living  
17 in the south.

18 Q Right, so if the program  
19 were in the north, you wouldn't have a job for yourself  
20 then?

21 A That's right.

22 Q Except maybe counselling  
23 the southern workers that came up?

24 WITNESS VIRTUE: I think perhaps  
25 if the programs in the north, that in my view at least,  
26 some of the people may still require some support and  
27 services of the kind that Mr. Behn provides.

28 Q Now, Mr. Giroux, on page  
29 eight of the evidence, you refer to the drop-out problem.  
Are you saying in your references that you feel the drop-



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Cross-Exam by Sigler

out problem would be greater if the program were run  
in the north?

WITNESS GIROUX: I think that  
there may be some -- there may be additional drop-outs  
because of the close access to home . In other words,  
if the trainee got discouraged, maybe got reprimanded  
for being late two mornings in a row or something, he  
might be very inclined to say "the hell with it", and go  
home, if home was close. So, I think perhaps in that  
sense, it might pick up.

But on the other hand, the  
loneliness factor, I'm sure in many cases, would be, if  
not eliminated, at least decreased so you'd pick up there. I'd  
think you'd be looking at different situations and  
different problems. I think perhaps in the end, it  
might be more preferable to be done in the north and that  
is home for most of these people.

Q Right, so we're at the point  
stated that the goals of the program are specifically  
related to northern pipeliner plants, and the people goal  
is to have the people return north that take the program,  
and the hope of the people involved <sup>with</sup> Nortran is that  
once there were northern projects, the program could  
move north. I then like to ask the panel is my last  
question, what other changes you and Nortran foresee being  
made in the program if -- once you do move north -- if  
you did move north with it in the event of a northern  
pipeline?

Have you addressed yourselves  
to what changes you'd have to make in the program apart





Behn, Giroux, Virtue  
Cross-Exam by Sigler  
Cross-Exam by Scott  
1 from the ones I've gone through with you?

WITNESS VIRTUE: Well, I suppose  
we've thought about it Mr. Sigler, and things of that  
2 nature are rather difficult to plan towards in my view.  
3 I think that the program has achieved a certain amount of  
4 success in operating in the south and it would seem to  
5 me that you would transport it, once you had the  
6 training facilities in the north, that you would transport  
7 it to the north largely unchanged. I can't see any  
8 major kinds of changes that you would have to make.

9 Q so you haven't yet done any  
10 specific planning for moving it north?

11 A No sir.

12 MR. SIGLER: Thank you.

13 CROSS-EXAMINATION BY MR. SCOTT:

14 Q Mr. Virtue, I'm going to  
15 ask you -- I'm going to put to you some simple propositions  
16 and see if I can get your agreement in order to test  
17 whether I understand what you've been saying to us in  
18 your written evidence in here today.

19 First of all, do I understand  
20 correctly that Nortran, under the auspices of its  
21 sponsors is designed simply to provide a pool of trained  
22 northerners, primarily for the operational phase of the  
23 pipeline, gas plants, etc.

24 A Yes, I think that's correct,  
25 primarily.

26 Q And that the way <sup>you</sup> encourage  
27 people to get into this program is make them a promise  
28 of employment when they have completed the program?





Behn, Giroux, Virtue  
Cross-Exam by Scott

A Yes, sir.

Q And the promise is a job with one of the sponsor companies in southern Canada or if there is a pipeline and gas plants, a job with one of the sponsor companies in the north?

A That's correct.

Q Yes, and that the fact that that promise has been one of the factors that has imposed a limit as you say on the number of persons who you are able to train?

A That's correct.

Q And that's why I take it you have a waiting list of 400 because if you took them all on now, you would be making a promise with respect to jobs for them that you might not be able to keep?

A That's certainly one of the reasons.

Q Well, now, in short then, you are doing for northerners what a forward looking employer does when he trains, when he brings in employees and trains them for his own ordinary operational staff with some exceptions?

A I think that's a fair comparison.

Q Yes, you are a training wing for the seven or eight companies for northerners.

A That's right.

Q And the only differences really when you get down to it between your training



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 program for the operational phase and a training  
2 program that Northern Electric or Bell Telephone or  
3 somebody else might run is really three-fold that you  
4 have reduced entry qualifications and educational  
5 build-up to meet them; that you have an orientation  
6 program to help people deal with the life style that  
7 is associated with the wage economy and thirdly that  
8 you have an ongoing counselling program which follows  
9 the trainees through the training program.

10 A And perhaps one more, Mr.  
11 Scott, the special benefits that we mentioned to the  
12 northern trainees because we regard them at this point  
13 in time as temporarily being trained in the south  
14 and they have these special benefits so I would say that  
15 is the other difference.

16 THE COMMISSIONER: Housing.

17 A Housing, vacations.

18 MR. SCOTT: Yes, to deal with  
19 the last point, you are giving an additional, if you will,  
20 financial inducement to encourage people to get into the  
21 program which is subsidized housing or what have you.

22 A That's right.

23 Q Yes. Well, now and I  
24 take it when you have trained that pool of people we  
25 have been talking about, Nortran's job is really over.

26 I'm not asking you  
27 to put yourself out of existence but when you have  
28 trained all of the applicants your function is  
29 substantially finished.

30 A Well, I think the --



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 my understanding of the pipeline and the position of  
2 the pipeline companies, of gas plant companies is that  
3 they would like to man their facilities in the north to  
4 the extent possible with northerners. I really see that  
5 that's a process that will take some time to accomplish  
6 and they may wish to keep Nortran in existence while  
7 they are working towards that objective.

8 Q You were just like  
9 Northern Engineering Services. You are building your  
10 budget for the future and what you are saying is that  
11 your job will be finished when every employee in a gas  
12 plant or in a compressor station is a northerner.

13 A It certainly would be  
14 then.

15 Q All right but the  
16 fundamental question; that is, whether Arctic Gas and  
17 Foothills or Imperial will hire these people on the  
18 pipeline or in the compressor stations or in the gas  
19 plants, the terms and conditions in which they will hire  
20 them, the way they will deal with them. All those things  
21 are personnel decisions that will ultimately be made by  
22 the individual companies.

23 A That's correct.

24 Q Now, you would agree  
25 with me that that is going to be the absolutely critical  
26 factor in determining the extent to which northerners, in  
27 fact, are employed in the operations of the project.  
28 The personnel policies that are developed by the sponsor  
29 companies and others in the north.

30 A And you used "absolute





Behn, Giroux, Virtue  
Cross-Exam by Scott

1 critical factors".

2 That's certainly going  
3 to be one of the critical factors.

4 Q There are two components;  
5 you have to have a reservoir of trained persons which  
6 you are providing and on the second hand, you have to  
7 have personnel policies which will put them into and  
8 keep them in the appropriate jobs.

9 A That's what I would agree  
10 to yes, those two things.

11 Q And the personnel policies  
12 are really the business of Arctic Gas and Foothills?

13 A Yes, sir.

14 Q Now, I presume that you  
15 wouldn't like to leave it at that and that Nortran, in  
16 fact, is making recommendations to Arctic Gas and  
17 Foothills as to the personnel policies which are to  
18 be developed to see that your reservoir of manpower is  
19 utilized in the north.

20 A Our discussions haven't  
21 been so much in terms of personnel policy but to this  
22 problem that I related to that I have tried to explain  
23 about getting the people who are currently in the  
24 training program past that construction phase into  
25 the operational phase and that's sort of in the nature  
26 of our discussions.

27 Q Yes, but what I am getting  
28 at is this. You, in the course of your program, have  
29 developed a certain amount of expertise and a certain  
30 amount of knowledge no doubt about the peculiar problems



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 of these trainees and the problems they will face when  
2 they obtain permanent employment whether it is with  
3 Imperial Oil in southern Canada or Imperial Oil in  
4 north of 60. You have developed some knowledge about  
5 those things.

6 A Yes, sir.

7 Q Yes and I take it that  
8 your people have developed some ideas about the solutions,  
9 about the way these people can be fitted in.

10 A Yes, we have ideas, Mr.  
11 Scott, but so do the employing companies. You know,  
12 Imperial Oil has been operating in this business with  
13 northerners a great deal longer than Nortran has been  
14 in existence.

15 Q Well, you see Arctic  
16 Gas hasn't and the reason I raised the question is  
17 have you been asked to make any recommendations by  
18 Arctic Gas or Foothills as to the appropriate personnel  
19 policies that should be developed so that these people  
20 will get into those jobs north of 60 and be able to  
21 stay in them?

22 A We have not been asked  
23 for specific recommendations. We have discussed this  
24 with people from Arctic Gas and Foothills but we have  
25 not been asked for --

26 Q Well, what I am getting  
27 at is have you made any recommendations to them as  
28 to their personnel policy that we can get our finger  
29 on so that we can know what you people think and what  
you think those personnel policies should have?



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 A No, sir, I don't  
2 believe we have.

3 Q Well, you would agree  
4 with me, wouldn't you? I don't want you to assume a  
5 responsibility that you don't have or an expertise that  
6 you don't have but wouldn't you agree with me that because  
7 of your experience in this training program you could  
8 have a useful input into the development of these  
9 personnel policies?

10 A Yes, sir. Mr. Scott,  
11 let me just raise an illustration that might be helpful  
12 here. I noted that from time to time, we had general  
13 meetings of the trainees to discuss our Nortran policies,  
14 hear what their concerns are and so on. One of the  
15 things that Mr. Giroux has recently suggested to our  
16 participating companies -- we are presently planning  
17 one of these general meetings of the trainees in the  
18 south. One of things that he is suggesting is that  
19 the employing companies may wish to talk to these  
20 trainees and get some of their ideas and responses  
21 regarding these kinds of matters, housing in the north,  
22 transportation policies, shift scheduling, etc.

23 Q Let me just ask you this  
24 to see if I can't <sup>get</sup> an example in my mind. I take it that  
25 your trainees work on the job a certain number of weeks  
26 and then have a certain number of weeks off, do they?

27 A Some of them do, Mr.  
28 Scott. The ones in the delta usually work on a shift  
29 basis like that but it is more common in the south to  
30 probably work a five-day week, 40-hour week.



Behn, Giroux, Virtue  
Cross-Exam by Scott

Q Yes.

A Although some work three days on and four off and four on and three off. There is a great number of combinations of shifts.

Q Well, let's take the delta ones, they work a certain number of weeks on, what is it? Four or three?

A It depends on the season.  
Go ahead, Art.

WITNESS GIROUX: I was going to say, it -- usually in the wintertime, I believe it's three and one and in the summertime it's a two and two situation.

Q And it is understood that in the week off, many of those employees will return to their homes in their communities which are not all that distant away?

WITNESS VIRTUE: Yes, sir.

Q And that indeed, is a benefit to the employee because he can work on a project and yet not be totally removed from his domestic situation. Isn't that so?

A Yes, I'll agree.

Q Yes. And I take it that it's a benefit for the employer too because experience has taught you that you are likely to have a better satisfied employee if he can work that kind of arrangement.

A I agree.

Q Yes and so that you have been able to find for example a -- what is a reasonable





Behn, Giroux, Virtue  
Cross-Exam by Scott

1 period of time off in relation to a period of time  
2 worked when the two will be in balance.

3 A Mr. Scott, I think you  
4 are perhaps giving us, Nortran, more credit than we  
5 might have coming. The companies recognize this kind of  
6 shift scheduling, I think, a lot longer, sometime before  
7 Nortran has come into existence.

8 Q But what I am suggesting  
9 to you is because of your close contact with the trainees  
10 and your counselling program and need of counselling in  
11 jobs is a relatively new thing. I suggest to you that  
12 you are in a position to develop expertise that would  
13 give you a good input into determining the conditions  
14 in which employees should be asked to work.

15 A I would accept that  
16 suggestion.

17 Q Let me put this to you.  
18 That I have been told that in certain parts of Alaska  
19 employees worked nine weeks on and two weeks off and  
20 I take it that you could look at that and very quickly  
21 say, well, look, you are not going to be able to hold  
22 your employees if that's the scheme you work.

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Behn, Giroux, Virtue  
Cross-Exam by Scott

A To the extent that we can speak on behalf of the trainees that have been in the program and been through the program, we could comment on that, yes.

Q That's one of the things you learn from running the program.

A Yes sir.

Q And that therefore that would be a useful kind of input to have when it comes to determine the personnel policies of any company that is hiring from you.

A I agree.

Q Yes, and I take it that there are literally a thousand or two examples of situations like that.

A Of situations like?

Q Well, we've heard it said, for example, that -- well the INquiry hasn't heard it said but I've heard it said -- that --

THE COMMISSIONER: Now we all want to hear what was said.

MR. SCOTT: -- that in Alaska, for example, an employee who is kept away from his home a long period of time instead of quitting his job as you or I might do, in disgust, and simply saying "To hell with it," and going home, in substance arranges to get himself fired so he can then go home and say, "Well, I'm home because I was fired."

Now I take it that if that is a phenomena your counselling system might be utilized



Bohn, Giroux, Virtue  
Cross-Exam by Scott

to pin-point these problems and arrange a break for  
that employee in the particular circumstance.

A Yes, I would hope so.

Q You're conscious of that  
kind of problem, in other words, and don't you recognize  
that with this knowledge your recommendations can  
provide the foremen and line supervision a kind of  
key to the maintenance of a useful and reasonably con-  
tented work force.

A Yes.

Q Yes, and I take it that  
if asked, you could prepare for Arctic Gas and Foothills  
-- obviously not quickly but over a period of time  
some general recommendations as to personnel policy.  
Now you haven't been asked so it's a little unfair, but  
if you were asked you could.

A Yes, we could reflect  
our views, Mr. Scott, if we were asked.

Q Well now, let's come to  
something else.

A Can I just try and  
clarify a little bit?

Q Yes.

A Mr. Scott, I feel a  
little uncomfortable about not being asked. The companies  
--

Q Well, they're going to  
ask you tomorrow, don't worry.

A Those were quotes.  
That's why I feel uncomfortable.





Behn, Giroux, Virtue  
Cross-Exam by Scott

Q You can blame that on me, Mr. Virtue.

A The companies have talked to us and they have asked various -- our opinions and our views on a number of things, and I've responded, Art has -- Mr. Giroux has responded, and the counsellors have responded, and the <sup>industry</sup> training co-ordinators, when they've been asked on these things. I want to sort of leave with you the feeling that maybe Foothills and Canadian Arctic Gas does have our views on a number of these matters, even though they haven't formally asked us and had a little paper presented to them.

Q Well, you see, that takes me back where we were then, because I want to know what your views are that you discussed with them and made recommendations on, just in case they don't implement them; if they have any merit it may be that somebody else can do that.

A Which view would you like, Mr. Scott?

Q Well, I'd like you to tell me what recommendations, whether they are capital R recommendations or what proposals you've made to these two companies about their personnel policies.

A Well, we've said things like we think that northern counsellors in the initial period of employment are perhaps -- I don't know whether the word is "essential" but are very important in the retention of northerners in the work force. We have said that northerners in the Northwest Territories



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 should be treated equally in terms of transportation,  
2 and I'm sure that you've heard and are familiar with  
3 some of the companies run a plane from Edmonton to the  
4 delta with the workers from the south. We say that  
5 northerners should have equal kind of treatment, and  
6 we suggest they should. We suggest that northerners  
7 should have equal housing to southerners when and if  
8 there is housing provided in the north. We have said  
9 that some consideration --

10 Q Could I just interrupt  
11 you there? Are you talking about on-the-job housing  
12 or some other housing?

13 A I'm talking about housing  
14 that may be required in communities where gas plants  
15 and compressor station sites require additional housing.

16 Q I see. Yes.

17 A That northerners must have  
18 equal treatment to southerners.

19 Q And when you're talking  
20 about transportation, what you're basically saying is  
21 it's great to have a flight to Edmonton every weekend  
22 but you should have a flight to Good Hope or wherever  
23 your other employees live.

24 A That's the suggestion  
25 we're making, Mr. Scott. Let's see, there was one more  
26 that I was going to say.

27 WITNESS GIROUX: Orientation  
28 programs, we've made recommendations on those for  
29 southerners and northerners.

30 Q Have you made recommendations



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 on an orientation program in detail, or have you just  
2 said there should be one?

3 A I think we've gone into  
4 considerable detail.

5 Q Can you, if not today, at  
6 some convenient time let me have that detail?

7 A Yes.

8 Q Thank you. Anything else,  
9 Mr. Virtue? I'm sorry, I interrupted you.

10 WITNESS VIRTUE: Yeah, the  
11 other thing was that we talked about it with Foothills  
12 and Arctic Gas is shift schedules, and I would think that  
13 our opinion is that you have to look at the circumstances  
14 and situations and be as flexible as possible in that  
15 particular plant or work site with your scheduling.  
16 In other words, try to accommodate to the extent  
17 possible and practical the kinds of shifts that  
18 northerners would like to work.

19 Q Well, just stopping  
20 right there, can you be more detailed about that? Now  
21 what do you think the kinds of shift schedule northern-  
22 ers that you've run into would like?

23 A Well, sir, it depends  
24 a great deal on where the northerner's family is. I  
25 think if you're working in an isolated post like the  
26 rigs are in the delta now, that they prefer the two  
27 weeks on and two weeks off kind of scheduling. I rather  
28 suspect that if they had their wife and family located  
29 in Fort Simpson and they are working at a station  
30 close by, that they might rather prefer a 5-day week.





Behn, Giroux, Virtue  
Cross-Exam by Scott

1 There's others who are now in the south who really  
2 like working this three 12-hour shifts and then four  
3 days off, and then four 12-hour shifts and three days  
4 off. They really like those long weekends, long breaks.

5 Q Well, I take it that,  
6 Mr. Virtue, your interest in scheduling is not simply  
7 so that everybody can have a nice week, but you regard  
8 ~~this~~ as an integral part of maintaining northerners on  
9 the work force.

10 A I think it's important,  
11 Mr. Scott.

12 Q Now is there anything  
13 else that you've discussed with either of these appli-  
14 cants of this type?

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Behn, Giroux, Virtue  
Cross-Exam by Scott

A Nothing else that comes to mind.

Q If anything else comes  
to mind, would you let me know?

A Yes sir.

Q Thank you.

A Well, something else just  
came to mind.

(LAUGHTER)

We have talked to them  
about this Manpower Delivery System that I mentioned  
in my testimony.

Q What was said to them  
about that?

A Well, we said that it  
was important if they were going to maximize the  
opportunities for northerners, that it was important that  
they had a system whereby the people in some of the  
smaller communities, out of the way communities, could  
get to the proper place to be documented, signed up  
with the union, had medicals, get the proper clothing,  
get their transportation to the job site, have some  
orientation if necessary, have the opportunity for  
training if necessary, have some assurance that their  
family would be looked after in their home community.

Those are the kinds of things  
we've talked about.

Q Well, now as we go on,  
you tell us anything else that you regard as important  
so that at the end of the day, we'll be able to say we've  
got all Nortran's ideas about maintaining northerners on



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 the record. We don't want anybody to come along six  
2 months from now and say, "Oh well, you should have <sup>done</sup> this,  
3 you should have done that". We like to have as complete  
4 a view as you can give us as how to maintain northerners  
5 in projects of this type.

6 A I'll do my best.

7 Q Now, let me just for the  
8 moment, turn to another subject. I take that in order  
9 to get people into your program, as you've said in your  
10 paper, go out to the communities twice a year, perhaps  
11 more and inform them about the projects that will be  
12 developed and about your program.

13 A Not so much the projects  
14 <sup>will</sup> that be developed. We try to talk about training and  
15 employment opportunities right now and obviously, there's  
16 the hope that if they are trained and employed in a  
17 particular area, that they might have the opportunity  
18 to come home and work in facilities like that.

19 Q Well, just let me stop  
20 you there. This program is for northerners.

21 A Yes sir.

22 Q Who are "northerners" in  
23 your book?

24 A We use sort of a rule of  
25 thumb that people who have resided in the Northwest  
26 Territories and the Yukon for a minimum of four years  
27 are northerners, and we have made exceptions, Mr. Scott  
28 as you might appreciate.

29 Q Well now, once these  
people see your program, they apply for it and I take it



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 that they are screened and selected?

2 A Yes sir, that Mr. Giroux's  
3 and the counsellors responsibility.

4 Q Yes. The selection has  
5 produced not only the persons who are now in the course,  
6 but the 400 who are on the waiting list? They've already  
7 been approved in essence for the project?

8 WITNESS GIROUX: The majority  
9 of them have. Actually there are some that we haven't  
10 been able to interview. They haven't been around the  
11 home settlement and we've been there when they're out  
12 working or whatever. But, the majority have, yes.

13 Q Well now, what is the  
14 criteria for selection? Is that written down anywhere?

15 WITNESS VIRTUE: Yes sir.

16 Q Where's that written down?

17 A In this -- shall I read  
18 them to you?

19 Q Well, if you can just  
20 pinpoint where it is.

21 A It's not in that, Mr.  
22 Scott.

23 Q Oh.

24 A There is just five of them.  
25 It's quite short sir. Number one, good physical and  
26 mental health. Number two, skilled occupations such as  
27 technician, gas plants operators, etc., grade nine and  
28 grade ten. Semi-skilled occupations such as equipment  
29 operators, roughneck derrick men etc., grade eight,  
30 grade nine; clerical accounting positions grade 11, 12





Behn, Giroux, Virtue  
Cross-Exam by Scott

1 or post secondary training.

2 Third, a mature attitude  
3 towards training and employment.

4 Four, a previous education and  
5 a work record indicative of some stability and motiva-  
6 tion.

7 Five, recommendations of past  
8 employers, employment agencies, etc.

9 Q I take it that with some  
10 exceptions where it isn't completed as Mr. Giroux said,  
11 you have that information on roughly 400 applicants?

12 WITNESS GIROUX: That's correct.

13 Q Yes. So in terms of  
14 hiring for some other project like construction, you've  
15 got a body of information about people who are interested  
16 in being in the wage economy that could be made available?

17 A Well, yes. Mind you,  
18 this information is all treated in confidence.

19 Q Oh yes, I understand that.

20 A I'm not suggesting it would  
21 be available without the individual's consent.

22 A You gave Mr. Virtue, some  
23 educational qualifications for a variety of jobs. Are  
24 those the qualifications which an applicant must have, or  
25 are those the qualifications that he can get after up-  
26 grading his education?

27 WITNESS VIRTUE: No. Those are  
the ones that he should have when he enters the program.

Q Yes. Well now, one other  
matter. You're concerned with the operation of the gas



Behn, Giroux, Virtue  
Cross-Exam by Scott

plants or the pipeline and you have indicated the kinds of jobs in your paper that you are training people for; the kinds of operational jobs. I forget how many there are, but you've listed them, haven't you?

A Yes, we have.

Q Yes. Well now, can you tell us from what Arctic Gas or Foothills have told you, how many slots there will be with those job descriptions in the operation of the gas pipeline, by either Arctic Gas or Foothills?

A My understanding is somewhere just over 200 jobs would be available on either system in the Northwest Territories and approximately 80 to 90 of those would be of the technician - tradesman caliber.

Q Yes. So, leaving aside Imperial Oil and Shell, and your other sponsors, do I understand that you are in a position now to train people for let us say 90 slots on either Arctic Gas or Foothills project?

A I'm not sure I understand, Mr. Scott. That we're in a position now -- I thought we had agreed that it was difficult to expand the program because of the commitment the companies make for continued employment.

Q I'm not suggesting you have anything like the bodies at hand, but I am saying that in view of the nature of the jobs for which you are able and prepared to do training, there will be, when operations begin, let us say 90 openings that your people



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 would be able to fill?

2 A That's correct.

3 Q Yes.

4 A That's my hope, that they'll  
5 be able to fill those jobs.

6 Q Can you tell us in the same  
7 way how many openings there will be with respect to the  
8 gas plants for which you are able to train people?  
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Behn, Giroux, Virtue  
Cross-Exam by Scott

A For which we are able  
to or which we are now training people?

Q For which you are now  
training people.

A My understanding again is  
that there will be three plants in the delta, and that  
the manning requirements are probably 60, approximately  
60 each, so for a total amount of 180 people, and  
probably a quarter of those people would be technical  
operating people.

Q Well now, the problem that  
Mr. Bell and Mr. Sigler raised with you about the start  
of construction, let's just see that I have it right,  
you're training these people at reasonably satisfactory  
but still not very high wages, and I take it your  
fear is that when construction begins they'll all  
return to the north and become dishwashers or whatever  
in order to get high paying jobs and that they will  
therefore have lost the opportunity to progress to their  
skill in the most expeditious way.

A That's correct, Mr. Scott.

Q And that therefore what  
you want to make is you want to make some recommendation  
to Arctic Gas or Foothills that the persons in your  
program should be slotted into construction jobs that  
would enable them to earn the high wages but where they  
will also be able to continue their training.

A That's correct.

Q Well now, let's deal with  
one other subject. I take it that on construction





Behn, Giroux, Virtue  
Cross-Exam by Scott

there are, in addition to dishwashers and so on, a number of skilled occupations all the way up to welders.

A Yes.

Q And we have been told that each of these projects would produce or will have many jobs -- I forget the figures, several thousand at least in construction.

A Yes.

Q Is there any reason in principle -- and I'd ask you to leave aside money and the rest of it -- is there any reason in principle why the same kind of scheme could not be devised and implemented if there was time, for construction jobs?

A The same kind of scheme that the companies have instituted for operating jobs, why they could not do it for construction jobs?

Q Yes.

A Yeah, there are some problems here, Mr. Scott.

Q Well, could you tell us the problems?

A Well, pipeline construction and facility construction, as a matter of fact in my understanding, are often seasonal, and you would be in a situation where you would be trying to train somebody on the job for four months, and the end of the job would come and that would be the end of the commitment to the person, which is quite different than what the companies -- the commitment the companies are making to these people in operational jobs. So there would be



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 this start-stop kind of thing that would be difficult  
2 to do.

3 In addition, the --

4 Q See, let me put this  
5 general proposition to you. Let us say that you knew to-  
6 day that the construction of the pipeline was going to  
7 begin five years hence, or four years hence. What would  
8 prevent the sponsor companies from devising a scheme  
9 for northerners to train them to take the construction  
10 jobs? Now I agree that this won't be career-oriented,  
11 though it may in fact be career-oriented in the fact that  
12 they may develop a skill; but what would prevent that  
13 program from being developed?

WITNESS GIROUX:

14 A I think if I can just say  
15 a word here, Mr. Scott. I think to some extent we've  
16 sort of broken the ice in that regard by bringing  
17 northerners into the southern part of Canada for con-  
18 struction training and exposure. So I think probably this  
19 could be expanded to some degree. But again I would  
20 like to suggest that for a good number of those trades,  
21 probably the majority of them, really I don't think  
22 training is the issue so much as exposure to that type  
23 of an industry.

24 WITNESS VIRTUE: It's sort of  
25 a longer term thing too, Mr. Scott. I would wonder if  
26 the industry would want to spend a great deal of time  
27 and effort and a person invest his time and effort in  
28 being a side boom operator, for instance, which is a  
29 highly skilled specialized pipeline construction, if  
30 he could only work up here for three seasons perhaps.



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 Q Well, you see the  
2 trouble is that the industry has obviously gone to a  
3 great deal of expense and trouble to fill 80 slots.  
4 I am concerned about the thousands of jobs that Arctic  
5 Gas and Foothills have both made a commitment that they  
6 will hire northerners where they can, the thousands of  
7 jobs in the two or three years of construction. You  
8 agree with me surely that many of those jobs are jobs  
9 that require ordinary construction skills.

10 A Yes, I do.

11 Q Not skills that are peculiar  
12 to pipelines.

13 A Many of those jobs.

14 Q All right. Is there any  
15 reason why a training program for northerners could not  
16 be established if you had sufficient lead time to enable  
17 northerners to be trained in those skills, time to  
18 operate certain kinds of equipment up north? Now you've  
19 given one difficulty.

20 THE COMMISSIONER: You said you  
21 had three working now in the Montreal-Sarnia construc-  
22 tion project.

23 A They worked there last  
24 summer and fall, Mr. Commissioner, yes.

25 WITNESS GIROUX:  
By and large  
26 they had acquired the skills for the type of work that  
27 they went into in the north. They weren't trained.

28 WITNESS VIRTUE: Mr. Scott, in  
29 my discussions with the pipeline construction people,  
30 they have told me -- and I am inclined to believe them --





Behn, Giroux, Virtue  
Cross-Exam by Scott

1 that the best place to train people on these jobs is  
2 on an operating pipeline spread, that simulated training  
3 just does not work very well, and that's my understanding,  
4 sir.

5 THE COMMISSIONER: Now, Mr.  
6 Scott, I think that we've had about as much of it as  
7 we can take in one afternoon.

8 MR. SCOTT: I'm sorry, sir.

9 THE COMMISSIONER: No, no, I'm  
10 not -- it must be around five o'clock.

11 MR. SCOTT: Five after five,  
12 sir.

13 THE COMMISSIONER: So -- and this  
14 is -- I'm adjourning among other reasons because this  
15 is an important subject that Mr. Scott has reached be-  
16 cause you have established an elaborate and apparently  
17 very worthwhile program to involve northerners  
18 in vocational training for pipeline operation. That  
19 we are told, pipeline operation, once this pipeline is  
20 built, would mean there would be openings for about  
21 250 people. The construction, we are told over a period  
22 of three years, would employ about 6,000 construction  
23 workers north of 60; constructing the three gas plants  
24 in the delta would mean employing another 1,200. It  
25 would be seasonal, that's a sound point, and so far as  
26 you can help us out on this without trying to do all  
27 of the -- cover all of the ground that Mr. Steeves  
28 panel on manpower delivery, or whatever it is, is going  
29 to do, maybe you could reflect over night about the  
30 possibility of providing training in advance so that



Behn, Giroux, Virtue  
Cross-Exam by Scott

1 if this pipeline is built northerners have a fighting  
2 chance at getting some good jobs and not simply clearing  
3 brush.

4 Well, let's adjourn till 9:30  
5 in the morning then.

6 (PROCEEDINGS ADJOURNED TO APRIL 14, 1976)

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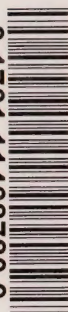












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